



UNIVERSITY OF OREGON
School of Law

June 10, 2023

To Whom It May Concern:

I am writing to recommend Jones Sinclair, a rising third-year student at the University of Oregon School of Law, for a clerkship in your chambers. Based on my experience teaching Jones in three courses, I believe strongly that Jones is well suited to work as a judicial clerk. I recommend Jones without any reservation whatsoever.

Please allow me to begin by introducing myself. I am the Orlando J. and Marian H. Hollis Professor at the University of Oregon School of Law. Before entering academia, I worked for nearly a decade as a federal prosecutor in Oregon and elsewhere. I also served by gubernatorial appointment as chair of the Oregon Criminal Justice Commission. In these two positions, I had extensive interaction with judges, and I came to appreciate the crucial role played by judicial clerks. I take very seriously my obligation to recommend only the most talented students for judicial clerkships.

I met Jones in the spring semester of 2022 when I was teaching Criminal Law, a first-year class. Jones stood out as an insightful contributor in our class discussions. What I admired most is that Jones showed a judiciousness in answering questions: rather than blurt out a response immediately after I posed a question, Jones would pause to reflect and would invariably offer a well-reasoned comment. Jones earned a grade of A-, which was a highly commendable performance in a class that I graded on a strict curve.

I taught Jones in two more classes during the 2022-23 academic year: Evidence (fall 2022) and Legal Profession (2023). Both of these classes required students to memorize complicated rules and apply them to fact patterns. Jones exhibited the same diligence and acumen that I had seen in the spring 2022 semester. I knew I could count on Jones to make valuable comments in class discussions. Jones earned a grade of B+ in Evidence and a grade of A in Legal Profession. The latter grade ranked Jones near the very top of a class that included approximately 70 students. Averaging a grade of A- in three of my classes, Jones definitely seems to belong among a subset of the smartest students in the class of 2024. (I was not surprised to learn that Jones has an overall class standing in the top 10%.)

I have noticed that Jones' out-of-class activities seem highly relevant to a judicial clerkship. This spring Jones has been working as an extern with the U.S. District Court in Eugene. Jones had previously interned with the U.S. Bankruptcy Court in Eugene. Jones will be

FACULTY OFFICES

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externing with a Redding-based legal aid office next fall. The insight gained from these various experiences will allow Jones to hit the ground running as a judicial clerk in 2024.

I will close by commenting on Jones' character. I have gotten to know Jones fairly well, due in part to the fact that we both hail from Southern Oregon. Jones is humble and respectful toward all people. Classmates and teachers all seem to hold Jones in high regard. Well prepared, punctual, and diligent, Jones sits in the front of each class and steps in when other classmates do not want to volunteer. Jones chooses words carefully and takes a balanced perspective on issues arising in the criminal justice system. I have no reason to doubt Jones' integrity. In sum, I believe Jones has the sort of character that a judicial clerkship requires.

Thank you very much for your consideration of this letter. If there is any way I can be helpful to you as you evaluate Jones' application, please do not hesitate to contact me. My email address is lininger@uoregon.edu, and my direct line is 541-346-3662.

Respectfully yours,



Tom Lininger
Orlando J. and Marian H. Hollis Professor



June 13, 2023

The Honorable Jamar K. Walker
United States District Court for the Eastern District of Virginia
Walter E. Hoffman United States Courthouse
600 Granby Street
Norfolk, Virginia 23510

Dear Judge Walker:

Jones Sinclair is applying for a clerkship in your court after their graduation in 2024. Jones is a strong student, and they will be a capable judicial clerk. I recommend Jones to you with enthusiasm.

Jones was a student in my year-long Legal Research and Writing course at the University of Oregon School of Law during their first year. Jones produced exceptional work in my class throughout the year. They prepared thoroughly for every class and conference and made effective use of my critiques to improve their work. Although Jones came to law school with strong writing and analytical skills, they were eager to keep honing those skills in class. In both semesters, they earned among the highest scores on the final research and writing projects. In the spring, they wrote a clear and persuasive appellate brief on a complex disability law issue. In their oral argument on the same issue, they showed real fluency with the law and facts, and the judges were uniformly impressed with Jones's responsiveness and professionalism.

Jones's impressive skills go well beyond written analysis. In the spring semester of my course, Jones earned a high score on their independent research project, showing facility researching federal law using online research platforms. Throughout the year, Jones was a somewhat more reserved participant in class discussions and group work, but the quality of their contributions was always high. Their classmates and I welcomed and appreciated their insights. In Legal Research and Writing, "A" grades are hard to come by, so their "A" grades in both semesters of my class demonstrate their strong research, writing, and analytical skills.

This past academic year, I had the opportunity to supervise Jones's upper-level research paper. Jones researched bankruptcy law and barriers to access that create inequities across socioeconomic lines. Unsurprisingly and with minimal guidance, their research was thorough, and the paper was well organized and clearly written. They met every deadline for providing drafts and incorporating feedback. It was a pleasure to work with them on this project.

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I am certain Jones will be a credit to the profession after graduating, and I am confident that they would be a valuable addition to the court's chambers. I encourage you to consider Jones as you review clerkship applicants. If I can answer any questions or offer additional insights, please do not hesitate to call me at (541) 346-5135 or email me at efrost@uoregon.edu.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Elizabeth', with a large, stylized loop at the end.

Elizabeth Ruiz Frost
Professor, Legal Research and Writing

Jones Sinclair

1820 Ferry Street, Apt. 319 | Eugene, OR 97401 | jones.k.sinclair@gmail.com | (541) 414-8941

WRITING SAMPLE

The attached writing sample is an excerpt from an appellate brief. I drafted this sample for the spring semester of my Legal Research & Writing class. In this exercise, a student sought a waiver of a university's no-pets policy in a specific dorm for her disability. The college offered her housing with her dog in another dorm, but the student dropped out and sued. The district court granted summary judgment to the college, and the student appealed. I represented the college.

ARGUMENT

The Court should affirm summary judgment. Since Wallace is not a service animal, Rosoff cannot prevail on her claim under the Americans with Disabilities Act (ADA), 42 U.S.C. §12182 (2018). Similarly, she cannot prevail on her claim under the Fair Housing Act (FHA), 42 U.S.C. § 3604 (2018), because her accommodation is unnecessary and unreasonable.

I. Ashland College cannot be obligated to accommodate Wallace under the ADA because he is not a service animal.

Since Wallace is not a service animal, Ashland College is not obligated to accommodate him under the ADA. Under ADA requirements to modify policy if the modification is necessary and reasonable, modifications for a service animal are generally required. 42 U.S.C. §12182(b)(2)(A)(ii); 28 C.F.R. § 36.302 (2020). However, a dog cannot qualify as a service animal unless the dog is trained to perform tasks for an individual with a disability's benefit. 28 C.F.R. § 36.104 (2020).

A service dog's tasks must directly relate to the individual's disability but cannot include emotional support, well-being, comfort, and companionship. *Id.* While there is no requirement to the number or type of tasks, the tasks cannot be assignable to the dog's breed or dogs in general. *Green v. Hous. Auth. Of Clackamas Cnty.*, 994 F. Supp. 1253, 1256 (D. Or. 1998); *Prindable v. Ass'n of Apt. Owners of 2987 Kalakaua*, 304 F. Supp. 2d 1245, 1256-57 (D. Haw. 2003), *aff'd sub nom. Dubois v. Ass'n of Apt. Owners of 2987 Kalakaua*, 453 F.3d 1175 (9th Cir. 2006).

A dog cannot acquire these tasks without some training by a trainer or the individual with a disability. *Prindable*, 304 F. Supp. 2d at 1257. This training requires support from more than mere anecdotal evidence and unsupported averments. *Id.* Although there is no specific requirement for the amount and quality of training, basic

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obedience training is insufficient. *Green*, 994 F. Supp. at 1256; *Davis v. Ma*, 848 F. Supp. 2d 1105, 1115 (C.D. Cal. 2012). For example, in *Davis*, the court ruled a puppy was not a service animal when it only had some obedience training and still relieved itself indoors regularly. 848 F. Supp. 2d at 1110. The owner claimed he trained the dog himself but could not recall when and where he learned about service dog training. *Id.* at 1111. The court reasoned that the puppy cannot qualify as a service animal without some training to ameliorate the owner's disability. *Id.* at 1115-16.

Wallace cannot be a service animal because he is not trained to perform qualifying tasks. First, Wallace provides only emotional support, well-being, comfort, or companionship assignable to dogs in general. Rosoff claims that Wallace's presence, breathing, and heartbeat calm her down; however, all dogs have a presence, breathing, and heartbeat. E.R. 11. She states Wallace's eating schedule keeps her accountable, but all dogs eat. E.R. 11. While Rosoff claims Wallace "knows" and "responds" to her panic attacks, she cannot identify a specific task Wallace performs that is distinct from emotional support and comfort. E.R. 11. Since Wallace provides only emotional support and tasks assignable to dogs in general, he cannot qualify as a service animal.

Moreover, Rosoff only provided mere anecdotal evidence and unsupported averments of sufficient training. In *Davis*, a dog with basic obedience training who regularly relieved itself indoors was not a service animal. Here, Wallace underwent obedience training and still relieves himself indoors at least monthly. E.R. 12, 21. While the Rosoffs claim that they spent months working with Wallace, this training is like the owner's work in *Davis*. E.R. 22. Neither identify when and where they learned about service dog training. E.R. 22. For these reasons, Wallace lacks training outside of mere

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anecdotal evidence and unsupported averments and cannot be a service dog. Therefore, Ashland College cannot be obligated to accommodate Wallace under the ADA.

II. Rosoff's accommodation is not required by the FHA because it is unnecessary and unreasonable.

Ashland College cannot be required under the FHA to grant Rosoff's request. To make a claim under 42 U.S.C. § 3604(f)(3), a plaintiff must prove the following elements: that they are disabled within the meaning of the FHA, that the defendant knew of the disability, that the accommodation is necessary, that the accommodation is reasonable, and that the defendant refused to make the requested accommodation. *DuBois v. Assn. of Apt. Owners of 2987 Kalakaua*, 453 F.3d 1175, 1179 (9th Cir. 2006). In this case, Rosoff has a qualifying disability, and Ashland College knew of her disability. Ashland College refused the requested accommodation and offered her a waiver of the no-pets policy in other dormitories. However, Rosoff's requested accommodation is both unnecessary and unreasonable.

A. Rosoff's accommodation is unnecessary under the FHA because she can access her choice of housing without the accommodation.

Rosoff's request for a waiver of the no-pets policy in the ARC is unnecessary. An accommodation is unnecessary unless, but for the accommodation, the plaintiff "will likely be denied an equal opportunity to enjoy housing of their choice." *United States v. Cal. Mobile Home Park Mgmt. Co.*, 107 F.3d 1374, 1380 (9th Cir. 1997).

There is no but-for causation without a causal link between the policy and a plaintiff injury. *Id.* at 1381. For example, in *Cal. Mobile*, the court found no causal link because the plaintiff failed to show that there was a disability-related injury without the accommodation. *Id.* at 1381. A mother requested that her mobile home park waive parking fees for the babysitter of her child with a disability. *Id.* at 1376. The park refused.

Brief for Appellee
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Id. Although free spaces were further away, the babysitter could park there without the child losing caretaking services and therefore housing. *Id.* Since the individual with a disability did not link the policy to a loss of housing, the parking fee waiver was a convenience rather than a necessary accommodation. *Id.* at 1380-1382.

Preferential treatment is only necessary if the plaintiff would lose opportunity to housing without it. *Giebeler v. M & B Assocs.*, 343 F.3d 1143, 1151 (9th Cir. 2003). In *Giebeler*, an individual could not meet income requirements due to his disability without a cosigner. *Id.* at 1145. He sought a waiver of their no-cosigner policy; however, the apartment refused. *Id.* at 1146. The *Giebeler* court held the policy waiver was necessary because the preferential treatment ensured the individual's equal opportunity to housing. *Id.* at 1147-48, 1150-51. While he could afford the apartment, he would lose housing without the policy waiver and an opportunity to prove income in a different way. *Id.* at 1157.

Rosoff cannot prove but-for causation nor a causal link because living in the ARC is a convenience. As the child in *Cal. Mobile* accessed housing with her caretaking services without the parking fee waiver, Rosoff can access on-campus housing with her assistance animal without placement in the ARC. E.R. 15. Neither individual lost housing without the accommodation. As the residents in *Cal. Mobile* have the same choice as other residents to pay the parking fee or park elsewhere, here also every student at Ashland College has the same choice of on or off campus housing rather than choosing a specific dorm. E.R. 13, 15. Both individuals had the same choices as other residents without accommodation. While Ashland College's newest dorm may be better than the other dormitories, Rosoff cannot identify a link between living in the ARC and a loss of

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housing; therefore, the Court should find prioritizing Rosoff for the ARC a convenience and unnecessary. E.R. 11, 15.

Without a causal link, Rosoff's request is preferential treatment not required by the FHA. While the *Giebeler* individual could not achieve equal opportunity to housing without the policy waiver, here Rosoff has housing and the same opportunity as other students. E.R. 15. To illustrate, all students have the same choice of on or off campus housing. E.R. 13, 15. While students list dorm preferences and demand does not typically exceed supply, Ashland College cannot guarantee student preferences. E.R. 13-14. Only ten percent of students can reside in the ARC. E.R. 13. When Rosoff chose to live on-campus, she received housing outside of her preference but equal to all Ashland College students. E.R. 15. Since she did not lose housing, prioritizing Rosoff for the ARC is preferential treatment unjustified by the lack of equal opportunity shown in *Giebeler*. E.R. 13. Thus, the Court should find that Rosoff's accommodation is unnecessary.

B. Rosoff's accommodation is unreasonable under the FHA because the costs of the accommodation place an undue burden on Ashland College.
Rosoff's request for a room in the ARC with Wallace is unreasonable.

Accommodations are unreasonable when they place an undue financial or administrative burden on a housing provider. *Prindable*, 304 F. Supp. 2d at 1257. An undue burden exists when an accommodation's cost outweighs the plaintiff's benefits. *Janush v. Charities Hous. Dev. Corp.*, 169 F. Supp. 2d 1133, 1136 (N.D. Cal. 2000). Although past accommodations may be evidence of reasonableness, each accommodation must be considered on an individual, fact-intensive basis. *Giebeler* 343 F.3d; *Janush* 169 F. Supp. 2d. at 1136.

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Rosoff's accommodation is unreasonable because Ashland College's costs outweigh the benefits of allowing Wallace in the ARC. Twenty percent of ARC residents have an animal allergy, phobia, or both; therefore, shedding will harm allergic residents. E.R. 15. Wallace is a Great Pyrenees, which shed heavily. E.R. 12, 23. Hence, Ashland College would need to retrofit the ARC's entire HVAC system or move all allergic students out to accommodate Wallace. E.R. 15. Additionally, to maintain current levels of food safety in the ARC with Wallace, Ashland College will need to change food safety protocols and incur additional costs. The ARC is the only dorm with food service areas incorporated into the design. E.R. 14. Wallace sheds and relieves himself indoors. E.R. 12, 23. Although assistance animals typically stay in an owner's room, Wallace must travel through the ARC for natural relief and cannot be restricted from dining areas in the ARC's open design. E.R. 14, 19. Thus, the costs of a new HVAC system and food safety protocols impose an undue burden on Ashland College.

Further, Ashland College would bear additional administrative costs to enforce the ARC's 24-hour quiet rule. E.R. 13. Wallace is a Great Pyrenees, which are known for their "booming" barks. E.R. 23. While Wallace only barks a few times each day, students may prefer the ARC for its quiet atmosphere, and students will likely submit more noise complaints in response to barking. E.R. 12-14. Ashland College will spend more time addressing increased student complaints and bear an undue burden. Finally, although Rosoff believes the community will alleviate some aspects of her disability, Wallace provides similar support; therefore, there is little additional benefit to her placement in the ARC. E.R. 11.

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As a result, the Court should find Rosoff's accommodation unreasonable. While Ashland College accommodated service animals in the ARC previously, courts consider each accommodation on an individual, fact-intensive basis. E.R. 14. Wallace is a 100-pound Great Pyrenees who barks, sheds a lot, and relieves himself indoors. E.R. 12, 23. Based on the burden associated with Wallace, the Court should find Rosoff's accommodation unreasonable.

CONCLUSION

Overall, Rosoff cannot prevail on either of her accommodation claims. She cannot make an ADA claim because Wallace is not a service animal. She cannot make an FHA claim because the accommodation is unnecessary and unreasonable. Therefore, the Court should affirm summary judgment.

Brief for Appellee
Bar #XXXXXX

Applicant Details

First Name	Bachittar		
Last Name	Singh		
Citizenship Status	U. S. Citizen		
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Address	<table> <tr> <th>Address</th> </tr> <tr> <td> Street 301 Helen Keller Blvd, Apt. 6113 City Tuscaloosa State/Territory Alabama Zip 35404 Country United States </td> </tr> </table>	Address	Street 301 Helen Keller Blvd, Apt. 6113 City Tuscaloosa State/Territory Alabama Zip 35404 Country United States
Address			
Street 301 Helen Keller Blvd, Apt. 6113 City Tuscaloosa State/Territory Alabama Zip 35404 Country United States			
Contact Phone Number	559-960-6090		

Applicant Education

BA/BS From	University of California-Davis
Date of BA/BS	September 2011
JD/LLB From	The University of Alabama School of Law
	http://www.law.ua.edu
Date of JD/LLB	May 8, 2024
Class Rank	I am not ranked
Law Review/Journal	Yes
Journal(s)	Alabama Civil Rights & Civil Liberties Law Review
Moot Court Experience	No

Bar Admission**Prior Judicial Experience**

Judicial Internships/ Externships	Yes
--------------------------------------	------------

Post-graduate Judicial
Law Clerk **No**

Specialized Work Experience

Specialized Work
Experience **Habeas**

Recommenders

Brandon, Mark
mark.brandon@vanderbilt.edu
615-322-3057

Fogle, Cameron
cfogle@law.ua.edu

Das Acevedo, Deepa
dasacevedo@emory.edu

**This applicant has certified that all data entered in this profile and
any application documents are true and correct.**

BACHITTAR ANOOP SINGH (He/Him)

ਬਚਿੱਤਰ ਅਨੂਪ ਸਿੰਘ (Punjabi) • बचितर अनूप सिंह (Hindi) • (Punjabi/Urdu) بچتر انوپ سنگھ

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June 7, 2023

The Honorable Judge Jamar K. Walker
United States District Court for the Eastern District of Virginia
Walter E. Hoffman United States Courthouse
60 Granby Street
Norfolk, VA 23510

Dear Judge Walker,

I am currently completing my final year at the University of Alabama School of Law and I am writing to express my keen interest in a clerkship in your chambers for the 2024-2025 term.

I firmly believe that my experiences and educational background will align with your chambers' approach. Serving as a Senior Editor of the Alabama Civil Rights & Civil Liberties Law Review, the 3L Representative to the Student Bar Association's Elections Committee, and the Vice Chairperson of the DEI Committee have enabled me to develop a keen eye for detail and an appreciation for the complexities of law.

My internship with the Federal Public Defender's Capital Habeas Unit in the Middle District of Alabama has honed my ability to work through nuanced legal issues and has instilled in me a deep commitment to justice. Similarly, as a Law Clerk at the Alabama Disabilities Advocacy Program, I developed my skills in thorough legal research and advocacy. I am confident that these experiences will be invaluable in assisting you with the judicial process.

As a law clerk, I fully appreciate the importance of trust, discretion, and a steadfast commitment to the court's dignity and high standards. My time as a Judicial Extern under the mentorship of the Honorable Senior Judge Myron H. Thompson reinforced these values and the necessity of maintaining absolute confidentiality. I am enthusiastic about bringing these critical understandings to your chambers, and I assure you of my unflinching discretion and dedication.

I am aware of the demands of a law clerk position and am prepared to work beyond standard hours. I see this opportunity not as merely a job, but as a chance to make a significant impact on important legal matters, helping individuals navigate the legal process and gaining invaluable experience that will shape my future legal career.

Thank you for considering my application. I look forward to the potential opportunity to discuss my application further.

Respectfully,

Bachittar Anoop Singh

BACHITTAR ANOOP SINGH (He/Him)

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EDUCATION

THE UNIVERSITY OF ALABAMA SCHOOL OF LAW, Tuscaloosa, AL
Juris Doctor Candidate, May 2024

Honors: Merit Scholarship Recipient 2021-2024 • Awarded *Dean's Community Service Award* • Awarded *Student Pro Bono Award* • Awarded *Order of Samaritan*

Activities: Vice Chairperson, *DEI Committee* • Senior Editor, *Alabama Civil Rights & Civil Liberties Law Review (Vol. 14, and Vol. 15)* • Founder, *Middle Eastern/South Asian Law Students Association* • J.D. Admissions Student Ambassador • Class Representative, *SBA Elections Committee* • Member, *Black Law Students Association* • Member, *OUTLaw*

THE UNIVERSITY OF CALIFORNIA, Davis, CA

B.A. in Middle East/South Asia Studies (focus in Religion in ME/SA), Sept. 2011

B.A. in Religious Studies (focus in Entomology), Sept. 2011

Activities: Co-Founder, *Middle Eastern & South Asian Students' Council* • Co-Founder and Board Member, *Bhagat Puran Singh Health Initiative* • Founder and Executive Member, *Sikh Cultural Association* • Tutor (Math and Biology), *Davis Senior High School*

LEGAL EXPERIENCE

NATIONAL HEALTH LAW PROGRAM (NHLP), Los Angeles, CA
Spitzer Intern, May 2023 – Present

FOSTER LAW FIRM, Vestavia Hills, AL
Law Clerk, Oct. 2022 – Present

- Assist with case specific research, including drafting memoranda and motions, researching case law and any legal precedent where relevant;
- Analyze legal documents and briefs, ensuring accurate state and depiction of facts, case law and precedent provided.

U.S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA, Montgomery, AL

Judicial Extern to the Hon. Senior Judge Myron H. Thompson, Aug. 2022 – May 2023

- Conducted in-depth legal research on relevant statutes, case law and legal precedent; and
- Drafted court documents including sentencing memoranda, judicial opinions and orders, and other legal documents as directed by Judge and Court Clerk.

ANONYMOUS ACADEMICS LLC, Washington, D.C.

Legal Research Assistant, Feb. 2023 – April 2023

- Assisted with project research and writing as requested in relation to environmental, social, and governance (ESG) audits.

JOHNSON FISTEL, LLP, San Diego, CA

Law Clerk, Oct. 2022 – Jan. 2023

- Provided support to associates and partners by conducting legal research;
- Analyzed legal documents and briefs, ensuring accurate state and depiction of facts, case law and precedent provided;
- Prepared a variety of legal documents including affidavits, petitions, and pleadings; and
- Drafted court documents and supporting papers.

ENSAAF, INC., Pleasanton, CA

Program Director, Sept. 2011 – Oct. 2022; *Various Other Positions*

- Organized and managed the Punjab Documentation Project (PDP); the largest initiative in the history of India to document disappearances and unlawful killings by the Indian security forces;
- Translated primary source documents, including legal documents, from Punjabi, Hindi and Urdu to English;
- Classified and analyzed court documents, census lists, affidavits, and other legal documents to identify senior security officials who perpetrated gross human rights violations in Punjab, India; and
- Drafted case documents and assist in the preparation of legal documents and other materials.

THE UNIVERSITY OF ALABAMA SCHOOL OF LAW, Tuscaloosa, AL

Research Assistant for Professor Shalini B. Ray, May 2022 – Oct. 2022

- Conducted in-depth legal research on various topics concerning administrative agency law and immigration law, specifically in relation to Title 42, Deferred Action for Childhood Arrivals (DACA), and Migrant Protection Protocols (MPP).

THE MIDDLE DISTRICT OF ALABAMA FEDERAL DEFENDER PROGRAM, Montgomery, AL

Capital Habeas Unit (CHU) Legal Intern, June 2022 – Aug. 2022

- Assisted the teams in providing representation to persons charged with federal crimes in the twenty-three southeastern counties of Alabama and to people on Alabama's death row whose appeals are entering federal *habeas corpus*; and
- Assisted attorneys and investigators at all stages of client representation, including interviewing clients and witnesses, reviewing, and organizing discovery materials, researching federal constitutional and criminal law issues, and investigating and preparing cases for pleadings, hearings and/or trials.

ALABAMA DISABILITIES ADVOCACY PROGRAM (ADAP), Tuscaloosa, AL

Law Clerk, May 2022 – Aug. 2022

- Advocated for individuals entitled to Home and Community-Based Waiver Service in the State of Alabama;

- Helped detainees at the Taylor Hardin Secure Medical Facility secure their constitutional right to treatment under the standards of *Wyatt v. Stickney* and the Americans with Disability Act (ADA); and
- Assisted attorneys and investigators at all stages of client representation, including reviewing and organizing discovery materials, researching state and federal constitutional issues, and preparing cases for hearings, litigation, and/or trial.

IMMIGRANT DETENTION DEFENSE BOARD (IDDB), Tuscaloosa, AL

Board Member, Aug. 2021 – April 2022

- Researched and drafted federal *habeas corpus* petitions for individuals detained by I.C.E. in the Etowah County Detention Center in Alabama; reviewed client intakes; collaborated with Adelante Alabama in hosting “Know Your Rights” training for detainees.

THE LAW OFFICES OF ROBERT B. JOBE, San Francisco, CA

Legal Translator, May 2019 – March 2020

- Conducted-virtual and in-person-client intake interviews at a nationally recognized asylum and deportation defense firm based in San Francisco, California; and
- Translated legal documents, witness testimonies, affidavits, and other primary source documents, from Punjabi, Hindi and Urdu to English.

PUBLICATIONS & RESEARCH ACKNOWLEDGEMENTS

- Deepa Das-Acevedo, *Autocratic legalism in India: A roundtable*, 15 JINDAL GLOBAL L. REV. (2022), available at: <https://doi.org/10.1007/s41020-022-00171-y>.
- Law, Y., & Rosenheim, J. A. Acknowledgments. *Effects of combining an intraguild predator with a cannibalistic intermediate predator on a species-level trophic cascade*. Ecology, Volume 92, Issue 2, 2011, Pages 333-341.

COMMUNITY SERVICE

JAKARA MOVEMENT, Fresno, CA

Youth Organizer and Volunteer, June 2008 – Present

THE APPELLATE PROJECT (TAP), Washington, D.C.

Mentee, Sept. 2022 – May 2023

FRESNO CHAFFEE ZOO, Fresno, CA

Zookeeper Assistant, June 2006 – Aug. 2007

LANGUAGES & OTHER INTERESTS

LANGUAGES

- Punjabi (Native) • Urdu (Fluent) • Hindi (Fluent) • English (Fluent)

OTHER INTERESTS

- Indo-Greek Architecture • Hiking • Camping • Backpacking • Anime • Entomology

BACHITTAR ANOOP SINGH (He/Him)

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Unofficial Academic Transcript

Institution Name: The University of Alabama School of Law

Student ID: 12182099

<u>Course</u>	<u>Professor</u>	<u>Grade</u>	<u>Term</u>
LAW 668 Complex Litigation	Adam Steinman	B-	Spring 2023
LAW 690 Water Law	Heather Elliott	B+	Spring 2023
LAW 795 Judicial Externship	Hon. S. Judge Myron H. Thompson	Pass (P/F)	Spring 2023
LAW 798 Advanced Fed. Gov. Contracts	Cameron Fogle	A	Spring 2023
LAW 818 Advanced Contracts	Yonathan Arbel	A-	Spring 2023
LAW 819 International Human Rights Law	Clare Ryan	B	Spring 2023
LAW 631 Employment Law	Deepa Das Acevedo	C+	Fall 2022
LAW 741 Federal Government Contracts	Cameron Fogle	B-	Fall 2022
LAW 744 Legislative Drafting	Othni Lathram	B+	Fall 2022
LAW 753 Racial Equity Audits in ESG	Johnjerica Hodge, India Williams	B	Fall 2022
LAW 795 Judicial Externship	Hon. S. Judge Myron H. Thompson	Pass (P/F)	Fall 2022
2L Term GPA (2022-2023)		3.05	
LAW 600 Contracts	Gene Marsh	C+	Spring 2022
LAW 601 Property	Fredrick Vars	B	Spring 2022
LAW 609 Constitutional Law	Paul Horwitz	C+	Spring 2022
LAW 648 Legal Research/Writing II	Kimberly Boone	B-	Spring 2022
LAW 742 Legislation and Regulation	Deepa Das Acevedo	B	Spring 2022
LAW 602 Torts	Benjamin McMichael	C+	Fall 2021
LAW 603 Criminal Law	Joyce Vance	B-	Fall 2021
LAW 608 Civil Procedure	Adam Steinman	B	Fall 2021
LAW 610 Legal Research/Writing I	Kimberly Boone	B-	Fall 2021
LAW 713 Introduction to Study of Law	Anita Kay Head	Pass (P/F)	Fall 2021
1L Term GPA (2021-2022)		2.64	
CUMULATIVE GPA		2.81	
LAW 646 The Law of War	Daniel Joyner	-	Fall 2023
LAW 660 Legal Profession	Shalini Ray	-	Fall 2023
LAW 665 Criminal Defense Clinic	Amy Kimpel, Yuri Linetsky	-	Fall 2023
LAW 665 Criminal Defense Clinical Course	Amy Kimpel, Yuri Linetsky	-	Fall 2023
LAW 683 Administrative Law	Shalini Ray	-	Fall 2023
LAW 821 Public Interest Lawyering	Glory McLaughlin	-	Fall 2023



ALABAMALAW
THE UNIVERSITY OF ALABAMA

Office of the Dean

8 June 2023

Re: Recommendation for Bachittar Anoop Singh

Dear Judge:

Bachittar Singh is a rising 3L at the University of Alabama School of Law. I write to commend him to you for a clerkship in your chambers. I do so with unbridled enthusiasm.

Bachittar is a person with special experience, perspective, and talent. I dare say that Alabama Law has never had a student quite like him – and I intend this in the most complimentary way possible. He came to us, not directly from college, but after having spent more than a decade working for (and eventually exercising directorial responsibility in) an organization whose purpose is to gather documentary and other evidence concerning the Sikh experience in India. It's work about which he is passionate, knowledgeable, and articulate.

Alabama is not an obvious destination for a person with his background and interests. So he took a chance in coming to us. But we have benefitted in countless ways from his membership in our community, and I believe he would tell you that he has flourished here. He has done so in his course work (which has been meaty and substantive), through his extracurricular portfolio (which has been truly impressive in scope and depth), and through his participation in the daily life of the Law School (and beyond).

I got to know Bachittar before he matriculated here. Since then, he and I have had regular, lengthy, and deep conversations about law, society, and his personal experiences. From the beginning, he displayed a maturity, perceptiveness, and knowledge that have had a profound impact on me, even as a grizzled veteran in academe. He has a keen analytical mind and an ability to think across multiple levels of abstraction simultaneously. His grades in courses do not – and could not – fully comprehend scope of his impressive gifts.

He has bolstered his academic experience with a host of additional experiences: as a judicial extern to a celebrated Senior District Judge for the Middle District of Alabama; as a clerk for law firms in Birmingham, Alabama, and San Diego, California; as a research assistant for one of my professorial colleagues; as a legal research assistant for a firm in Washington, DC; as a legal intern for the Federal Defender Program in the Middle District of Alabama; as a law clerk for the Alabama Disabilities Advocacy Program; as a Board Member for the Immigrant Detention Defense Board in Tuscaloosa; and (currently) as a Spitzer Intern for the National Health Law Program in Los Angeles.

Mark E. Brandon - Dean and Thomas E. McMillan Professor of Law

Office of the Dean | 251 Law Center | Box 870382 | 101 Paul W. Bryant Drive | Tuscaloosa, AL 35487-0382
205-348-5117 | Fax 205-348-3917 | mbrandon@law.ua.edu

Letter of Recommendation
Bachittar Anoop Singh
Page 2

Because my primary responsibilities have been administrative, I have not had an opportunity to engage Bachittar in the classroom. On the basis of my extensive interactions with him, however, I have every confidence that he will be a judicial clerk of genuine excellence. He reads well (and widely). He processes information rapidly. He analyzes cogently. He writes well. And he is able to manage multiple assignments with ease. I am pleased to recommend him for the important work in your chambers.

Please don't hesitate to let me know if you have questions or would like additional information.

Very truly yours,


June 20, 2023

The Honorable Jamar Walker
Walter E. Hoffman United States Courthouse
600 Granby Street
Norfolk, VA 23510-1915

Dear Judge Walker:

I write today to give my full support of Bachittar Singh's application to serve as your law clerk during the 2024-25 term. Bachittar is a strong writer with excellent analytical skills and an impeccable work ethic. His oral communication skills are also exceptional. Although Bachittar's law school transcript is different than the typical clerkship applicant, he has the ability and demeanor to be an excellent judicial law clerk.

Bachittar was a student in my Federal Government Contracts class in the fall of his second year and then did an independent study with me the following spring. His performance across these two semesters was indicative of both his overall skills and nontraditional transcript. In my Federal Government Contracts class, Bachittar was a star student in the classroom. He was always prepared and asked thoughtful questions. We often met outside of class to continue our discussions, and his understanding of the course material was noteworthy. At the end of the semester, I considered Bachittar one of my top students and we began discussing career opportunities in government contracts. Despite this consistently positive experience, Bachittar's performance on my exam was disappointing. My sincere belief, both in terms of my class and in terms of his overall law school performance, is that high-stakes exams obscure what Bachittar has to offer. He is as capable as students near the top of the class but some of his grades do not reflect this.

Bachittar's performance in my independent study confirmed my opinions regarding his many strengths. During my Government Contracts class, one topic we covered was the Small Business Administration's "set-aside" programs. Some of these programs reserve certain contracting opportunities for small business owned by "socially disadvantaged individuals," who are defined as people "who have been subjected to racial or ethnic prejudice or cultural bias within American society because of their identities as members of groups and without regard to their individual qualities." I noted in class that some contractors had challenged the constitutionality of these set-aside programs and said that their long-term viability was unclear. Bachittar met with me after class and asked a series of follow-up questions about the nature and extent of the constitutional challenges. When I candidly admitted my limited knowledge on the subject, Bachittar asked if he could do an independent study with me and write a paper about the issue. I agreed, and the experience was extremely rewarding for both of us. Bachittar's research on the topic was thorough. We had engaging weekly discussions. His final paper was well structured and well-reasoned. In the same semester, I oversaw another independent study with a student who was ranked near the top of the class. Bachittar's work during the semester was superior to this other student's work in terms of both effort and quality.

My work with Bachittar on his independent study highlighted some of the attributes that would make him a highly effective judicial clerk. Bachittar's intellectual curiosity and the passion for social-justice issues in the law gave rise to the independent study. He approached me with an interesting and well-thought-out proposal. Bachittar was self-motivated and an extremely disciplined worker. He proposed his own research and drafting schedule and adhered to it throughout the semester. The ability to manage a long-term project, like the independent study, is critically important in practice and in chambers, but is becoming a less common trait in law school students. Beyond these tangible, academic skills, Bachittar's demeanor and personality made working with him truly enjoyable. He is kind, considerate, and thoughtful. He works well with constructive feedback. Overall, Bachittar's academic skill combined with the intangible benefits of his demeanor will make him an asset in chambers. A clerkship with you would be a wonderful professional experience for Bachittar. I hope you will give his application serious consideration.

Sincerely,

Cameron W. Fogle

Cameron Fogle - cfogle@law.ua.edu

June 16, 2023

The Honorable Jamar Walker
Walter E. Hoffman United States Courthouse
600 Granby Street
Norfolk, VA 23510-1915

Dear Judge Walker:

I am writing to enthusiastically recommend Bachittar Singh for a clerkship in your chambers. I was closely involved in recruiting Bachittar to Alabama Law and have since had the pleasure of teaching him in two courses. Beyond this, Bachittar has become a much-valued mentee and aide, playing a crucial role in two conferences I organized while at Alabama Law and liaising between students, faculty, and administrators at the Law School. In my experience, Bachittar's drive, organizational skill, intellectual appetite, and emotional intelligence are without parallel.

When I first met him as a prospective student, Bachittar already had extensive experience with legal systems outside the United States thanks to his work for Ensaaf. I wondered whether this prior knowledge would complicate his law school career, but my concerns were soon laid to rest: regardless of his experience (which is broad) and interests (which are varied) Bachittar approaches every new opportunity with humility and an eagerness to learn. More than any other student I have taught, Bachittar has used his time in law school to experience as many different ways of engaging with the law as possible; his energy and enthusiasm are inspiring.

He understands, however, that energy and enthusiasm are not enough in the legal profession: diligence, accuracy, and intellectual creativity are necessary too. I know this first hand after asking Bachittar to participate in a roundtable on autocratic legalism in India that I organized in 2021; Bachittar not only came excellently prepared to the meeting and contributed to our discussion in key ways, he also took detailed minutes for me to use later on and carefully read the roundtable transcript for accuracy and citations. Others have also quickly recognized his aptitude for legal work: to date he is the only judicial extern from Alabama Law to be hired into the chambers of Judge Myron H. Thompson of the Middle District of Alabama. The sheer variety of Bachittar's activities during law school—he has worked in law firms, judicial chambers, non-profits, as an academic research assistant, with the Federal Defenders, the ADAP, and the IDDB—signals his commitment to becoming the best lawyer he can be.

Some of the qualities that I most appreciate in Bachittar are also likely to make him a valuable addition to your judicial chambers. He is a highly capable and well-informed conversational sparring partner who is nevertheless unfailingly respectful and polite. He is always well-prepared, whether this means doing outside research and writing before a meeting or simply formulating his own thoughts (or both). And he is an exceptionally warm, caring, and perceptive human being: not only from my own experiences, but also from the comments of colleagues and students at Alabama Law, I know Bachittar to be someone who uses his skills and resources in the service of those around him. He is someone I am proud and humbled to have taught.

As the above makes obvious, I recommend Bachittar highly and without reservation. Please feel free to contact me by phone or email if there is any additional information that I can provide.

Yours sincerely,

Deepa Das Acevedo

Associate Professor

+1.773.939.7299

dasacevedo@emory.edu

Deepa Das Acevedo - dasacevedo@emory.edu

BACHITTAR ANOOP SINGH (He/Him)

ਬਚਿੱਤਰ ਅਨੂਪ ਸਿੰਘ (Punjabi) • बचितर अनूप सिंह (Hindi) • (Punjabi/Urdu) بچتر انوپ سنگھ

basingh@crimson.ua.edu • bachittarsingh1469@gmail.com • 1 (559) 960-6090

Primary Address: 301 Helen Keller Blvd. Apt. 6113, Tuscaloosa, AL 35404 • Secondary Address: 6680
W. Lucas Dr., Fresno, CA 93722

I prepared the following sentencing memorandum in September of 2022, for the Honorable Senior Judge Myron H. Thompson of the United States District Court for the Middle District of Alabama. The task entailed thorough research on all pertinent issues, case laws, and federal sentencing guidelines associated with the case. I independently conducted all required research for this assignment.

Respectfully,

Bachittar Anoop Singh

MEMORANDUM

To: Judge
From: Bachittar Singh
Date: [REDACTED] 2022
Case: [REDACTED]
Re: [REDACTED] Revocation Hearing

A revocation hearing is set for [REDACTED] on the pending petition for the revocation of defendant [REDACTED] supervised release. The petition contains the following charges:

- (1) Failure to pay restitution as ordered;
- (2) Driving under the influence of alcohol [REDACTED];
- (3) Driving under the influence of alcohol [REDACTED].

Because [REDACTED] is alleged to have failed to pay restitution as ordered in violation of the conditions of his supervised release, and because he is alleged to have committed a Grade C violation, if he is ultimately found guilty you may revoke his term of supervised release and impose a term of imprisonment under 18 U.S.C. § 3583(e)(3) and USSG § 7B1.3(a)(2).

[REDACTED] has pled guilty to both charges of Driving Under the Influence (DUI) in the [REDACTED] District Court on [REDACTED] 202[REDACTED], and is required to have an ignition interlock device installed on his vehicle for a period of one year and to participate in a substance abuse aftercare program.

It is unclear whether [REDACTED] will be contesting any of the charges against him, though it seems unlikely that he will. Probation recommends a sentence of three months' incarceration followed by no supervised release.

MEMORANDUM

I. Defendant's Background

a. Personal Background

██████ is █████ years old and was born in ██████████. ██████████ mother passed away in 2005 due to cancer, and his father resides in ██████████ and is employed as a truck-driver.

██████ was not subjected to any physical or emotional abuse as a child, and he specifically describes his relationship with his mother as "great." His relationship with his father is more difficult and varies depending on his "[father's] mood."

Due to a learning disability, [REDACTED] dropped out of high school and did not earn his GED.

In 2002, [REDACTED] married [REDACTED]. Although the couple subsequently divorced on October [REDACTED], 201[REDACTED], [REDACTED] and his ex-wife continue to remain in a relationship and are currently cohabitating in [REDACTED], alongside their three children: [REDACTED]. Ms. [REDACTED] is a nurse at [REDACTED].

b. Mental Health

The PSR says that [REDACTED] does not have any evidence of having been treated for any mental or emotional problems. In addition, he did not report any family history of mental or emotional health conditions.

c. Substance Abuse

In the PSR interview, [REDACTED] denied a history of, or problem with, alcohol/substance abuse, [REDACTED] has

MEMORANDUM

reported consuming two to three beers once a week. In addition, he admitted that he regularly began using marijuana between the ages of 14 and 16.

The USPO's sentencing recommendation states: "[REDACTED] admits he began abusing alcohol in early 202[REDACTED] and was ultimately arrested for the two driving under the influence of alcohol cases in [REDACTED] that form the basis for the petition to revoke his term supervised release. Since incurring the new law violations, [REDACTED] successfully completed inpatient substance abuse treatment."

d. Criminal History

[REDACTED] has a lengthy criminal history consisting almost entirely of citations in relation to traffic violations, including speeding (nine citations), seatbelt violation (four citations), and no child restraint (three citations).

Apart from his underlying convictions in this case, [REDACTED] was arrested for Driving Under the Influence (DUI) in [REDACTED] and charged with reckless driving. In that case, he was ordered to pay a \$500 fine by the [REDACTED] Probate Court in [REDACTED].

e. Educational and Employment History

[REDACTED] withdrew from high school in the ninth (9th) grade and has not completed his GED. Between 1996 and 2007, [REDACTED] reported working as a laborer [REDACTED]. Thereafter, from May 2007 to August 2007, he was employed as a laborer [REDACTED]. And, between August 2007 to 2017, he was employed as a Heavy Equipment Operator [REDACTED]. More recently, from 2017 to the present, [REDACTED] has been self-employed as the owner of a lawn care service.

MEMORANDUM

II. Underlying Offense and Conditions of Supervised Release

██████ was originally sentenced in 201█ to time served (one day) as to Count One, followed by a three (3) year term of supervised release after having pled guilty to making a false statement to a federal agency under 18 U.S.C. § 1001(a)(2), a Class D felony.

In that case, [REDACTED] was indicted by a Federal Grand Jury for knowingly and willfully making a "materially false, fictitious, and fraudulent statement" to an FBI Special Agent in relation to a [REDACTED] package containing \$[REDACTED] in cash. The Grand Jury determined that he did not return the [REDACTED] package to [REDACTED], as he initially claimed to the FBI Special Agent, and had in fact spent a portion of the \$[REDACTED] on personal expenditures. [REDACTED].

As per his special conditions, [REDACTED] was to make restitution for a total restitution amount of \$[REDACTED] at the rate of not less than \$100 per month and began his term of supervised release on September [REDACTED] 201[REDACTED].

III. Alleged Violation of Supervised Release

On September [REDACTED] 201[REDACTED], [REDACTED] began his term of supervised release, and began to pay restitution in the amount of \$[REDACTED] at the rate of not less than \$100 per month, as is required by the special conditions of his supervised release. However, [REDACTED] has not made any additional payment since [REDACTED] 202[REDACTED], and is currently in default status.

In February 2021, a [REDACTED] Sheriff's Deputy clocked [REDACTED] vehicle traveling at 58 miles per hour (MPH) in a 45 MPH speed zone. After conducting a traffic stop near [REDACTED] home, the Deputy reported a

MEMORANDUM

strong odor of alcohol on [REDACTED]. He administered a field sobriety test and determined that [REDACTED] was "too impaired to safely operate a vehicle." After administering a portable breathalyzer test to [REDACTED], in which his blood alcohol content (BAC) level was recorded at 0.18, the deputy arrested and charged him with Driving Under the Influence (DUI).

Shortly thereafter, in April 2021, an [REDACTED] state trooper conducted a traffic stop on [REDACTED] and administered a portable breathalyzer test. [REDACTED] BAC level was 0.13, and he was arrested and charged with his second Driving Under the Influence (DUI) within a two-month period, in violation of his supervised release.

IV. Events After the Filing of the Revocation Petition

After the filing of the revocation petition, you continued the revocation hearing to allow [REDACTED] to attend substance-abuse treatment [REDACTED] and modified the conditions to add the condition that he is successfully complete the inpatient treatment program at [REDACTED]. He completed the program successfully.

V. Sentencing Options

a. Statutory Requirements

[REDACTED] is alleged to have violated the terms of supervised release by failing to pay restitution as ordered by the United States District Court [REDACTED] and by committing two new law violations of Driving Under the Influence of Alcohol (DUI). Therefore, if he is found guilty of

MEMORANDUM

those charges, you may revoke his term of supervised release and, additionally, impose a sentence of "not more than two (2) years for a Class D felony." 18 U.S.C. § 3583(e)(3).

b. Sentencing Guidelines

When there is more than one violation of the conditions of supervision, the grade of violation is determined by the violation having the most serious grade. Here, all of [REDACTED] violations are Grade C violation; "therefore, the grade of violation is Grade C." USSG § 7B1.1(a)(3)(B).

At the time of the original sentence in 201[REDACTED], [REDACTED] criminal history category was I, with a total offense level of eight (8). The guidelines range here is therefore three (3) to nine (9) months imprisonment, USSG 7B1.4, provided that, where minimum term of imprisonment determined is not more than six (6) months, the minimum term may be satisfied by:

- (A) a sentence of imprisonment; or
- (B) a sentence of imprisonment that includes a term of supervised release that substitutes community confinement or home detention.

USSG 5C1.1(e); see also USSG § 7B1.3(c)(1).

Upon finding of a Grade C violation, the court may:

- (A) revoke probation or supervised release; or
- (B) extend the term of probation or supervised release and/or modify the conditions of supervision.

USSG § 7B1.3(a)(2). No credit toward any sentence of imprisonment ordered shall be given for time [REDACTED] has already served on post-release supervision. See USSG § 7B1.5(b). Additionally, "[a]ny term of imprisonment

MEMORANDUM

imposed upon [] revocation ... shall be ordered to be served consecutively to any sentence of imprisonment that the defendant is serving, whether or not the sentence of imprisonment being served resulted from the conduct that is the basis of the revocation of ... supervised release." Id. § 7B1.3(f).

c. Parties' Recommendations

Probation recommends that [REDACTED] supervised release be revoked and that he be sentenced to three months' imprisonment, consecutive to the sentence imposed in [REDACTED], and followed by no supervised release. The USPO wants no supervised release because [REDACTED] supervised release term started on September [REDACTED], 201[REDACTED], and three years will be up on September [REDACTED], 202[REDACTED] (though the filing of the petition arguably stopped the clock).

According to Probation, [REDACTED] has served [REDACTED] days in custody on the [REDACTED] DUI cases.

We don't have any information about what the government or defense will request, but I imagine the defense will request a concurrent sentence with the [REDACTED] case and/or time served.

d. Bachittar's Recommendation

Here, I see two grounds for a variance. First, [REDACTED] began his term of supervised release on September [REDACTED], 201[REDACTED], and continued to pay restitution at the rate of not less than \$100 per month until [REDACTED] [REDACTED] 202[REDACTED], the date of his last payment. The court should take into consideration that the State of [REDACTED] reported a record number of daily cases between 2,000 and 4,000 new infections of COVID-19 being reported in December of 202[REDACTED]. See WSFA 12 News Staff,

MEMORANDUM

Alabama has reported 95K new COVID-19 cases in December, WSFA 12 News (Dec. 28, 2020, 2:58 PM GMT-6), <https://www.wsfa.com/2020/12/28/alabama-has-reported-k-new-covid-cases-december/>. In addition, at his original sentencing, the Court noted, "[REDACTED] does not appear to have the ability to pay a fine, within the guidelines, in addition to restitution." See [No.] [REDACTED] [of] [REDACTED] [in] [REDACTED]. He was reported to have had a negative monthly cash flow of \$[REDACTED]. *Id.* The court should take this possible (negative) correlation between the COVID-19 Pandemic and the date of [REDACTED] having entered default status into consideration, in addition to the documented financial hardship as noted by the District Court [REDACTED].

Second, as per the Supervised Release Violation Report (the "Report"), the only non-compliance issue during [REDACTED] first two (2) years of supervision was the failure to pay restitution as ordered by the Court. And, since his second DUI charge in April of 202[REDACTED], [REDACTED] has successfully completed inpatient substance abuse treatment at [REDACTED]. The fact that prior to, and subsequently after, this underlying conviction in 201[REDACTED], [REDACTED] has been charged with multiple Driving Under the Influence (DUI) highlights a possible dependence on alcohol. If so, I doubt that a lengthy period of incarceration would be beneficial in significantly addressing the continued risk he would pose upon the completion of his sentence. Perhaps the court could better protect society by requiring [REDACTED] to undergo a psychiatric evaluation to see if he meets the criteria for substance use disorder. Perhaps the court should require participation in a driving school course, a financial management course, a recovery program, such as Alcoholics Anonymous, and/or therapy might better address the underlying cause of [REDACTED] dependency on

MEMORANDUM

alcohol and his default status. If [REDACTED] maintains his sobriety, he is well-positioned to continue "earning a good income to support himself and his family. He has acquired valuable tools from treatment to live a sober, law-abiding life." See [REDACTED] [in] Supervised Release Violation Report. I might recommend something along the lines of a downward variance of one (1) month of incarceration, followed by two (2) years of supervised release, with a special condition that [REDACTED] continue to pay restitution at a rate determined to be appropriate by the court, attend a driving course, undergo a psychiatric evaluation to see if he meets criteria for substance use disorder, participate in a recovery program, such as Alcoholics Anonymous, and enroll in an inpatient substance abuse treatment program.

Applicant Details

First Name **Adam**
 Last Name **Skendzel**
 Citizenship Status **U. S. Citizen**
 Email Address adam-skendzel@uiowa.edu
 Address

Address
Street
260 Hawkeye Court, Apt. 211
City
Iowa City
State/Territory
Iowa
Zip
52246
Country
United States

Contact Phone Number **9063739913**

Applicant Education

BA/BS From **Michigan State University**
 Date of BA/BS **May 2021**
 JD/LLB From **University of Iowa College of Law**
<http://www.law.uiowa.edu>
 Date of JD/LLB **May 10, 2024**
 Class Rank **30%**
 Law Review/Journal **Yes**
 Journal(s) **The Journal of Corporation Law**
 Moot Court Experience **Yes**
 Moot Court Name(s) **Van Oosterhout-Baskerville Domestic Competition - Appellate Advocacy**

Bar Admission

Prior Judicial Experience

Judicial Internships/
Externships **Yes**
Post-graduate
Judicial Law Clerk **No**

Specialized Work Experience

Recommenders

Blanchard, Brian
brian.blanchard@wicourts.gov
(608)266-9362

Sullivan, Sean
sean-sullivan@uiowa.edu

Ksobiech, Mary
mary-ksobiech@uiowa.edu
2053487035

This applicant has certified that all data entered in this profile and any application documents are true and correct.

Adam R. Skendzel

260 Hawkeye Ct. Apt. 211; Iowa City, IA 52246 | (906) 373-9913 | adam-skendzel@uiowa.edu

The Honorable Jamar K. Walker
U.S. District Court for the Eastern District of Virginia
Walter E. Hoffman United States Courthouse
600 Granby Street
Norfolk, VA 23510

Dear Judge Walker:

Graduating from The University of Iowa College of Law in 2024, I am excited to apply to serve as one of your honor's clerks for the 2024–2025 term. I am confident that my experiences as a judicial intern last summer and current internship at a county prosecutor's office where I am certified to practice will be assets for me to excel in your honor's chambers. I am particularly drawn to your honor's chambers because of your history serving in public interest as an Assistant U.S. Attorney, a path I hope to take post-clerkship. Further, having the opportunity to clerk in Norfolk would afford me the opportunity to be closer to family stationed in the city.

Last summer, I served as Presiding Judge Brian Blanchard's judicial intern at the Wisconsin Court of Appeals. There, I drafted a three-panel opinion for the court where I was given a significant amount of responsibility throughout the case. Throughout the process, I practiced sifting through the record, outlining the issues, and developing legal theories with the law clerk and judge. I learned the importance of a creative, adaptable, and dynamic mindset as my understanding of the record and law developed. More importantly, it confirmed my interest in clerking and my capability to be a strong judicial clerk.

My experiences in and outside the classroom have provided me with the tools to effectively serve as your clerk. My research and writing capabilities are evinced through earning two A's in *Legal Analysis, Writing & Research I and II*. Additionally, my Note was selected for publication in *The Journal of Corporation Law* and demonstrates my ability to tackle complex issues effectively and independently. I am further continuing to hone my research and editing abilities as the Senior Managing Editor for the journal. Finally, working as a Research Assistant for Professor Vogel, a student ambassador for Iowa Law, and competing through two semesters of moot court, I have learned to effectively budget my time while managing competing deadlines.

Thank you for your time and consideration. Included are my resume, writing samples, recommendations, and transcripts for your review. I look forward to the prospect of discussing my application further and am eager to contribute to your chambers.

Respectfully submitted,

Adam Skendzel

Adam R. Skendzel

260 Hawkeye Ct. Apt. 211; Iowa City, IA 52246 | (906) 373-9913 | adam-skendzel@uiowa.edu

EDUCATION

The University of Iowa College of Law	Iowa City, IA
<i>Juris Doctor</i> candidate	May 2024
GPA	3.55
Honors:	Full Tuition Merit Scholarship
Course Highlights:	Legal Analysis, Writing & Research I & II (3.9; 4.0 respectively); Constitutional Law (3.9); Business Associations (3.7); Criminal Law (3.7); Administrative Law (3.7)
Activities/Hobbies:	Peer Advisor, Appellate Advocacy Domestic Law Competition Participant, Intramural Soccer Player, Weekly Trivia Player
Publications:	Adam R. Skendzel, Note, <i>UnitedHealth's Threshold Questions: Allocating Evidentiary Burdens When Parties Litigate the Fix</i> , 49 J. CORP. L. (forthcoming 2024)
Michigan State University	East Lansing, MI
<i>Bachelor of Arts</i>	May 2021
GPA	3.72
Major:	Political Theory and Constitutional Democracy
Minor:	Science, Technology, and Environmental Public Policy

EXPERIENCE

Linn County Prosecutor's Office	Cedar Rapids, IA
<i>Summer Intern</i>	May 2023 – Present
Certified to practice before Iowa courts. Exercise significant discretion when requesting bonds and negotiating plea deals. Efficiently research statutory and legal questions. Collaborate with attorneys to prepare cases for trial and have definitive plans to second-chair trials.	
The Journal of Corporation Law	Iowa City, IA
<i>Senior Managing Editor</i>	April 2023 – Present
Maintain the production schedule for the journal by revising pieces selected for publication. Collaborate with other editors to ensure a consistent use of citations and tone throughout an article. Will be the first to review the student writers' Authority Checks and work with the students to improve their Bluebook citation skills.	
<i>Student Writer</i>	August 2022 – May 2023
Conducted Authority Checks twice a week to ensure articles being prepared for publication are grammatically correct and conform to <i>Bluebook</i> and journal conventions. Wrote a Note on a salient issue in antitrust law.	
The University of Iowa College of Law	Iowa City, IA
<i>Research Assistant for Professor Carissa Vogel</i>	August 2022 – Present
Assist Professor Vogel, Associate Dean for Library Services and Director of the Iowa Law Library, with researching and implementing programs for the law library. Navigate a wide range of databases and synthesize information into digestible reports.	
The University of Iowa College of Law	Iowa City, IA
<i>Student Ambassador</i>	May 2022 – Present
Promote stakeholder relationships with Iowa Law. Provide tours of the law school to prospective and admitted students. Conduct scholarship interviews for admitted students.	
Wisconsin Court of Appeals – District IV	Madison, WI
<i>Judicial Intern for Presiding Judge Brian Blanchard</i>	May 2022 – August 2022
Played an integral role in the drafting of a 3-panel opinion. Conducted in-depth legal research and outlined all substantive issues at the outset of a case involving issues of statutory interpretation and the rules of evidence. Provided insights and updates to Judge Blanchard and his clerk throughout the process.	



STUDENT GRADE REPORT

Name: Adam R. Skendzel
University ID: 01448586
Month/Date of Birth: 06/17
Date Generated: 06/06/23 01:02 PM

Degree(s) from other institution(s):
 BA Michigan State University, East Lansing, MI 2021

Previous/Transfer institution(s) summary:
 Michigan State University, East Lansing, MI 2017-2021

*****START ACADEMIC RECORD*****

Course Number	Course Title	Sem Hrs	Grade
Fall 2021 / College of Law			
LAW 8037	Property	4.0	3.1
LAW 8046	Torts	4.0	3.1
LAW 8017	Contracts	4.0	3.5
LAW 8032	Legal Analysis Writing and Research I	2.0	3.9
LAW 8026	Introduction to Law and Legal Reasoning	1.0	P

	Graded Hrs Att	GPA	Graded Hrs Earned	Hrs Earned
UI Term:	14.0	3.33	14.0	15.0
UI Cum:	14.0	3.33	14.0	15.0

Spring 2022 / College of Law			
LAW 8006	Civil Procedure	4.0	3.5
LAW 8460	Evidence	3.0	3.5
LAW 8022	Criminal Law	3.0	3.7
LAW 8010	Constitutional Law I	3.0	3.9
LAW 8033	Legal Analysis Writing and Research II	3.0	4.0
LAW 9060	Trial Advocacy	2.0	P

	Graded Hrs Att	GPA	Graded Hrs Earned	Hrs Earned
UI Term:	16.0	3.71	16.0	18.0
UI Cum:	30.0	3.53	30.0	33.0

Summer 2022 / College of Law			
LAW 9335	Summer Legal Placement	3.0	P

	Graded Hrs Att	GPA	Graded Hrs Earned	Hrs Earned
UI Term:	0.0	0.00	0.0	3.0
UI Cum:	30.0	3.53	30.0	36.0

Fall 2022 / College of Law			
LAW 8194	Basic Federal Income Taxation	4.0	3.2
LAW 8146	Antitrust Law	3.0	3.6
LAW 8331	Business Associations	3.0	3.7
LAW 9010	Appellate Advocacy I	1.0	P
LAW 9124	Journal of Corporation Law	1.0	P

	Graded Hrs Att	GPA	Graded Hrs Earned	Hrs Earned
UI Term:	10.0	3.47	10.0	12.0
UI Cum:	40.0	3.52	40.0	48.0

Spring 2023 / College of Law			
LAW 8105	Administrative Law	3.0	3.7
LAW 8216	Civil Proc Pre-Trial Theory & Practice	1.0	3.7
LAW 8726	Mergers and Acquisitions	3.0	3.7
LAW 8791	Professional Responsibility	3.0	3.7
LAW 9021	Van Oosterhout Baskerville Mt Ct Comp	1.0	P
LAW 9124	Journal of Corporation Law	1.0	P

	Graded Hrs Att	GPA	Graded Hrs Earned	Hrs Earned
UI Term:	10.0	3.70	10.0	12.0
UI Cum:	50.0	3.55	50.0	60.0

*****END ACADEMIC RECORD*****

Hours and Points Summary

The Hours and Points Summary includes transfer credit in the "Overall Cumulative" GPA and "Overall Earned" hours (not necessarily hours towards degree). This summary is only informational and will not appear on your official transcript. Your official transcript is only your University of Iowa hours and GPA as displayed above

	Hours	Points	GPA
UI Cumulative	50.0	177.60	3.55
Transfer Cumulative	0.0	0.00	0.00
Overall Cumulative	50.0	177.60	3.55
Overall Earned	60.0		
Transfer Earned			

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MICHIGAN STATE UNIVERSITY

OFFICIAL ACADEMIC TRANSCRIPT
ISSUED TO STUDENT

SKENDZEL, ADAM RICHARD

PRINTED: 09/07/2022
PAGE: 01 OF 01

UIC: 3765885611
STUDENT ID: 153585271

COURSE	TITLE	CRS GRD	I EH	COURSE	TITLE	CRS GRD	I EH
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UNDERGRADUATE RECORD

CUM TOTALS 86.00 CUM GPA 3.642

TEST TOTALS: 23.00 TEST CREDITS

TERM HONOR: DEAN'S LIST

PROGRAM: JAMES MADISON COLLEGE
05/09/2021 COMPLETED PROGRAM
POL THEORY&CONSTITUTIONAL DEM

FALL SEMESTER 2017

08/30/2017 - 12/15/2017			
MC 111	IDENTITY AND COMMUNITY	4.00	3.0
MC 201	INTRO STUDY OF PUBLIC AFF I	4.00	3.5
MTH 101	QUANTITATIVE LITERACY I	3.00	3.5
SPN 102	ELEMENTARY SPANISH II	4.00	4.0
TERM TOTALS	15.00	TERM GPA	3.500
CUM TOTALS	38.00	CUM GPA	3.500

TERM HONOR: DEAN'S LIST

SPRING SEMESTER 2018

01/08/2018 - 05/04/2018			
MC 112	IDENTITY AND COMMUNITY	4.00	4.0
MC 202	INTRO STUDY OF PUBLIC AFF II	4.00	3.5
MTH 102	QUANTITATIVE LITERACY II	3.00	4.0
SPN 201	SECOND YEAR SPANISH I	4.00	4.0
TERM TOTALS	15.00	TERM GPA	3.866
CUM TOTALS	53.00	CUM GPA	3.683

TERM HONOR: DEAN'S LIST

SUMMER SEMESTER 2018

07/02/2018 - 08/16/2018			
EC 201	INTRODUCTION TO MICROECONOMICS	3.00	3.5
TERM TOTALS	3.00	TERM GPA	3.500
CUM TOTALS	56.00	CUM GPA	3.666

FALL SEMESTER 2018

08/29/2018 - 12/14/2018			
FW 181	INTRO SCI TECH ENVIRON POLICY	3.00	3.0
ISB 200	HISTORY OF LIFE	3.00	4.0
MC 270	CLASSICAL REPUBLICANISM	4.00	3.5
SPN 202	SECOND-YEAR SPANISH II	4.00	4.0
TERM TOTALS	14.00	TERM GPA	3.642
CUM TOTALS	70.00	CUM GPA	3.659

TERM HONOR: DEAN'S LIST

SPRING SEMESTER 2019

01/07/2019 - 05/03/2019			
EC 202	INTRODUCTION TO MACROECONOMICS	3.00	2.5
ISP 217	WATER AND THE ENVIRONMENT	3.00	4.0
ISP 217L	WATER AND THE ENVIRONMENT LAB	2.00	4.0
MC 271	CONSTITUTIONALISM & DEMOCRACY	4.00	4.0
MC 272	POLITICAL THEORY & ISSUES	4.00	3.5
TERM TOTALS	16.00	TERM GPA	3.593

FALL SEMESTER 2019

08/28/2019 - 12/13/2019			
EEM 255	ECOLOGICAL ECONOMICS	3.00	4.0
MC 370	RADICAL CHALL LIB DEMOCRACY	4.00	3.5
MC 446	INTERNATIONAL ENERGY POLICY(W)	3.00	4.0
PHL 480	PHILOSOPHY OF SCIENCE	4.00	4.0
TERM TOTALS	14.00	TERM GPA	3.857
CUM TOTALS	100.00	CUM GPA	3.681

TERM HONOR: DEAN'S LIST

SPRING SEMESTER 2020

AS THE NOVEL CORONAVIRUS PANDEMIC REQUIRED SIGNIFICANT CHANGES TO INSTRUCTION, S-SATISFACTORY AND NS-NOT SATISFACTORY GRADES WERE MADE AVAILABLE TO UNDERGRADUATE AND GRADUATE STUDENTS.

01/06/2020 - 05/01/2020			
CSUS 464	ENV & NAT RES POLICY IN MI	3.00	4.0
MC 371	BYND LIB DEM? NEW DIR POL THRY	4.00	S
MC 378	LAW AND SOCIAL GROUPS	4.00	4.0
PHL 344	ETHICAL ISSUES IN HEALTH CARE	4.00	4.0
TERM TOTALS	15.00	TERM GPA	4.000
CUM TOTALS	115.00	CUM GPA	3.721

FALL SEMESTER 2020

AS THE NOVEL CORONAVIRUS PANDEMIC REQUIRED SIGNIFICANT CHANGES TO INSTRUCTION, S-SATISFACTORY AND NS-NOT SATISFACTORY GRADES WERE MADE AVAILABLE TO UNDERGRADUATE AND GRADUATE STUDENTS.

09/02/2020 - 12/18/2020			
CSUS 465	ENVIRONMENTAL NAT RES LAW	3.00	4.0
MC 400	FIELD EXPERIENCE	5.00	P
MC 401	FIELD EXPER ANLY & INTERPRET	3.00	P
MC 459	STEPPS CAPSTONE	3.00	4.0
MC 497	SEN SEM POL THRY/CONST DEM (W)	5.00	3.5
TERM TOTALS	19.00	TERM GPA	3.772
CUM TOTALS	134.00	CUM GPA	3.727

DEGREES AWARDED

DEGREE: BACHELOR OF ARTS
PROGRAM: JAMES MADISON COLLEGE
GRANTED: 04/30/2021
PLAN: POL THEORY&CONSTITUTIONAL DEM

END OF UNDERGRADUATE RECORD

----- NO ENTRIES BELOW THIS LINE-----



Steven J. Shablin
University Registrar

Provided Solely For:

Adam Skendzel
260 HAWKEYE COURT, APT. 211
IOWA CITY, IA 52246

June 5, 2023

Hon. Jamar Kentrell Walker
Judge, U.S. District Court for the Eastern District of Virginia

Dear Judge Walker:

I am pleased to offer this letter of reference on behalf of Adam Skendzel, who has applied for a clerkship position in your chambers. I have been a Wisconsin state court appellate judge since 2010 and have supervised many law clerks and interns.

Adam joined my chambers as an intern this last summer, between his first and second years at the University of Iowa College of Law. His primary assignment was to draft an opinion in a relatively difficult case involving multiple issues, and then to work with me and my law clerk in refining the opinion that I eventually circulated to my colleagues for their consideration.

The case was a civil proceeding arising from the seizure of a shotgun by police. The shotgun's owner relied on Wisconsin's statutes governing applications for the return of property, including dangerous weapons. Major issues included determining whether a time limit in a statute is mandatory or merely directory and whether the trial court could rely exclusively on the factual allegations in the criminal complaint filed by the prosecution—allegations never admitted by the gun owner—to establish the factual predicate that the owner had used the gun in the commission of a crime.

Adam was diligent, smart, and focused. Notably, he was engaged and flexible in his thinking as we worked to find the best approach on one particularly challenging issue. The issue was one of those that looks simple, but when one goes looking for authority the silence is deafening. Adam was not fazed by this lack of clear direction in the law. He went well beyond the briefing of the parties in a careful search for the best touchstones.

Adam was mature, respectful, and friendly to everyone who works at the court. He took direction well. But he also spoke up to explain his independent views and asked great questions.

He was a real pleasure to work with.

I would be happy to provide any further information that might assist you or any representative of your chambers. Thank you for considering these observations.

Sincerely,

Brian W. Blanchard

Presiding Judge, District IV
Wisconsin Court of Appeals
2921 Landmark Place, #415
Madison, WI 53713-4248
brian.blanchard@wicourts.gov
(608) 446-3472

Brian Blanchard - brian.blanchard@wicourts.gov - (608)266-9362

June 05, 2023

The Honorable Jamar Walker
Walter E. Hoffman United States Courthouse
600 Granby Street
Norfolk, VA 23510-1915

Dear Judge Walker:

I know Adam from having had him as a student in my Evidence and Antitrust classes in the spring and fall of 2022. I teach both classes in the usual Socratic format. While this ordinarily limits what I can say about individual students, in Adam's case, I am not so constrained.

To get the basics out of the way, Adam did well in Evidence and even better Antitrust. His answers to in-class questions were consistently clear and confident. His dedication to study was apparent in both his exam performance and the quality of his classroom participation. In Antitrust, he demonstrated an interest in and grasp of technical antitrust topics far beyond what I expect of even high performing students. I attribute this in part to the intensity he seems to bring to all study projects, and in part to his election to write a student note on the complex policy implications raised by firms attempting to litigate remedies in merger challenges.

But what moves my recommendation beyond the basic "good and diligent student" letter is the interactions I have had with Adam after and outside of class. In short, Adam's questions are exceptional. Adam is the kind of student who asks hard questions and listens carefully to the answers—but then takes the increasingly rare next steps of continuing to think about the questions and answers, considering how the subjects generalize to other areas, attempting to synthesize the conversation in his own words, and returning next week with follow-up inquiries and even better questions. In other students, I sense that out-of-class interactions usually reflect a simple desire to do well on an exam or a hope that repetition of subjects will make ideas click. In Adam's case, conversations are obviously driven by a sincere and humble desire to understand substance for its own sake and by an unwillingness to relent until he feels confident that he sees the answer from all angles.

I hasten to clarify that Adam is not the type of student who demands a great deal of handholding or who requests too much of my time. To the contrary, I can tell that he puts serious thought into formulating every question before he raises it. His questions are typically crisp and concise. And this makes answering them easy, efficient, and enjoyable. I wish more students were so careful in doing their own work before asking a question, and in considering whether a question would be most efficiently brought to someone else or researched individually.

Outside of these comments, I can relate that Adam conducts himself with care and earnest professionalism. His emails and contributions to discussion are clear, punctual, and thorough. I would not hesitate to trust him with confidential or sensitive matters. I also believe that his interest in clerking is sincere and even inspiring. To paraphrase what he told me when I asked him why he wanted to clerk, he said that he wanted to do something stimulating, engaging, and purposeful. If only I had been so thoughtful and clear-minded as a law student.

From everything I have seen, Adam has the marks of a mature and impressive future attorney, and I recommend him to you. Please contact me at any time if I can answer any questions or provide further information in support of his application.

Best,

/Sean Sullivan/

Sean Sullivan
Professor of Law
University of Iowa College of Law
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Sean Sullivan - sean-sullivan@uiowa.edu

June 06, 2023

The Honorable Jamar Walker
Walter E. Hoffman United States Courthouse
600 Granby Street
Norfolk, VA 23510-1915

Dear Judge Walker:

I write to you today on behalf of Adam Skendzel's application to serve as your law clerk. Adam is in his second year at the University of Iowa College of Law, and he was enrolled in my Legal Analysis, Writing, and Research II course during the Spring 2022 semester.

Most notably, Adam was one of the best researchers in his section. From early in the semester, he wanted to explore the counterarguments to his assigned position, challenging himself to think critically about entire issue to make the most informed arguments that he could. At the end of one class, he called me over to show me an opinion that he believed foreclosed the entire appeal on immunity grounds. Unbeknownst to Adam, I had considered that issue when drafting this writing problem and included certain facts in the record to avoid this concern. We stayed in the classroom for quite some time after class while I explained to Adam the nuances created in subsequent cases that permitted this issue to go forward. In my experience, many first-year students would have simply accepted a statement from me that they were reading the case incorrectly or that they did not have a full picture of the law. Adam, however, asked the correct series of follow-up questions to improve his understanding of the larger picture of the law. His diligence in research will serve him well as a law clerk.

It does not surprise me, then, that Adam now works as a research assistant for the Director of the Law Library and interned at the Wisconsin Court of Appeals this summer. I perceive his interest in research and writing as genuine and feel confident that he enjoys solving the puzzles put forth by complicated legal questions. I trust that he would honor an experience in your chambers similarly and give it nothing short of his absolute best work.

Although I have known Adam for only a short time, the nature of my limited-enrollment course encourages significant individual faculty-student interaction. I have been impressed with his drive to succeed and as a result, I do not hesitate to recommend him to you.

Sincerely,

Mary M. Ksobiech

The University of Iowa College of Law

Mary Ksobiech - mary-ksobiech@uiowa.edu - 2053487035

Adam R. Skendzel

260 Hawkeye Ct. Apt. 211; Iowa City, IA 52246 | (906) 373-9913 | adam-skendzel@uiowa.edu

The below writing sample is a portion of a draft opinion I wrote over the summer of 2022 with the benefit of input from a permanent law clerk. Judge Blanchard has authorized me to use this draft provided I note that this is a draft document only and that I have removed the appellant's name. To limit the length to 10 pages, I have subsequently made slight edits to the provided portion and cut the second part of the draft opinion answering whether an uncorroborated criminal complaint alone could satisfy, by the preponderance of the evidence, that Plaintiff-Appellant pointed a shotgun at the police officer under Wisconsin law. A full copy of the draft can be made upon request.

BACKGROUND

¶1 On September 30, 2020, four County Sheriff’s Department officers arrested Plaintiff-Appellant outside of his residence. [2:3.] During the arrest, they seized a Ruger .380 handgun found in Plaintiff-Appellant’s front pants pocket and a shotgun found on the passenger side of his truck. [2:3.] On October 1, 2020, the State filed a complaint against Plaintiff-Appellant, charging him with (1) pointing a firearm at a law enforcement officer in violation of WIS. STAT. § 941.20(1m)(b); (2) disorderly conduct in violation of WIS. STAT. § 947.01(1); and (3) operating a motor vehicle without carrying and displaying, upon demand, a license in violation of WIS. STAT. § 343.18(1). [2:1.] The complaint summarized an incident report prepared by one of the arresting officers, which was modified in part and quoted. [2:2–3.] Plaintiff-Appellant made his initial appearance on December 9, 2020. [34:3.] On March 26, 2021, the district attorney moved to dismiss all charges filed against Plaintiff-Appellant for reasons that are not pertinent to this appeal. [21:1.] The court granted the motion to dismiss later that day. [23:1.]

¶2 On April 15, 2021—127 days after Plaintiff-Appellant’s initial appearance in the criminal case—Plaintiff-Appellant moved for the return of his two seized guns pursuant to WIS. STAT. § 968.20.¹ [27:1–2; see Blue:12 (no dispute on lateness).]

¶3 On June 8, 2021, the court held a hearing on the motion for the return of the two seized firearms. [40:1.] Under WIS. STAT. § 968.20(1m)(b), a “dangerous weapon[]” is not to be returned to the person seeking its return if they used it in the commission of a crime. At the hearing, the prosecutor did not contest the return of the handgun. [40:2–3.] As for the shotgun, the State relied on the criminal complaint, and only the complaint, as proof that Plaintiff-Appellant used the shotgun in the commission of a crime:

The Court: So it looks like [The State has] the burden of establishing that the shotgun is contraband.

¹ The statutory motion was brought under the criminal action where the charges had been dismissed. We note that neither party has taken issue with the procedure. *See State v. Glass*, 2000 WI App 252, ¶3, 239 Wis. 2d 373, 620 N.W.2d 213, *aff’d* 2001 WI 61, 243 Wis. 2d 636, 628 N.W.2d 343 (involving motion for return of seized property brought as part of underlying criminal action).

The State: Yes, your honor, and I think the State has done that by the filing of the Criminal Complaint that demonstrates probable cause therein. [40:7.]

Throughout the hearing, the prosecutor did not indicate any intent to call a witness nor introduce other evidence to corroborate the complaint. Thus, the State rested entirely on the criminal case underlying Plaintiff-Appellant's WIS. STAT. § 968.20 motion, which, in turn, had established probable cause that Plaintiff-Appellant pointed a firearm at a law enforcement officer.

¶4 Plaintiff-Appellant objected to the complaint being used as evidence at the hearing. He argued that the State “has not met their burden . . . in any way, shape, or form.” [40:7; *accord* 40:13.] Plaintiff-Appellant repeated this objection in a subsequent letter brief to the circuit court: “Simply put, the State’s argument that a mere filing of [a] Criminal Complaint is sufficient proof in a court of law that a person ‘committed a crime’ is not supported by the law.” [32:2.]

¶5 The circuit court denied Plaintiff-Appellant’s motion for the return of his shotgun. [34:4.] Although neither party raised the issue of the lateness of Plaintiff-Appellant’s motion, the court reasoned that Plaintiff-Appellant’s failure to abide by the 120-day statutory time limit deprived the court of competency to rule on the issue.² [Red:21; 34:3.] Further, the court ruled that even if it could reach the merits, “[f]rom the four corners of the [criminal] complaint” the State had proven that the shotgun was used in the commission of a crime and not subject to return. [34:4.] Plaintiff-Appellant now appeals the denial of his motion for the return of his shotgun.

DISCUSSION

¶6 Plaintiff-Appellant argues that the 120-day time limit in WIS. STAT. § 968.20(1) is directory, not mandatory, and that his late filing did not deprive the circuit court of its competency to rule on the issue. Plaintiff-Appellant further contends that the case should be remanded to the circuit court, where it is unclear whether he expects the need to prove a “valid reason” for the

² The circuit court framed its determination in terms of having lost “subject matter jurisdiction,” [34:3.] by which we understand the court to have concluded that Plaintiff-Appellant’s failure to abide by a mandatory statutory time limit deprived the court of competency to exercise subject matter jurisdiction. *Vill. of Elm Grove v. Breska*, 2013 WI 54, ¶16, 346 Wis. 2d 282, 832 N.W.2d 121 (“Although the circuit court may not be deprived of jurisdiction ‘[e]xcept as otherwise provided by law,’ it may lack competency to render a valid order . . . in a civil or criminal matter when the parties fail to meet certain statutory requirements.”).

delay. [Reply:6–8.] The State concedes that the 120-day time limit in WIS. STAT. § 968.20(1) is directory, but argues that the court may enlarge a directory time limit only on a showing of excusable neglect. Therefore, the State argues, the case should be remanded so Plaintiff-Appellant may demonstrate that his tardy application resulted from excusable neglect, an issue he did not have a chance to present to the circuit court. [Red:21.]

¶7 The pertinent statute that gives rise to this claim is WIS. STAT. § 968.20. Subsection (1) “permits a person whose property has been seized by law enforcement to seek [the] return of the property in circuit court.” *State v. Branch*, 2015 WI App 65, ¶6, 364 Wis. 2d 582, 869 N.W.2d 542. The subsection is generally applicable to property seized as evidence but is no longer needed by the State. *See* § 968.20(1g). As is the case here, a party can file a § 968.20 action to return their property even if a forfeiture action has not been initiated. *See State v. Jones*, 226 Wis. 2d 565, 577, 594 N.W.2d 738 (1999). Subsection 968.20(1) reads:

Any person claiming the right to possession of property . . . seized . . . may apply for its return in the circuit court for the county in which the property was seized or where the search warrant was returned. . . . If an initial appearance under [WIS. STAT. §] 970.01 is scheduled, the application for the return of the property shall be filed within 120 days of the initial appearance.

¶8 WISCONSIN STAT. § 968.20(1m) outlines additional requirements for the return of seized property if the property is a dangerous weapon such as a firearm. *See* WIS. STAT. §§ 968.20(1m)(a)2, 939.22(10) (defining “dangerous weapon”). Paragraph (1m)(b) provides that: “[i]f the seized property is a dangerous weapon or ammunition, the property shall not be returned to any person who committed a crime involving the use of the dangerous weapon or the ammunition.” Subpart (1m)(b) thus bars recovery of a dangerous weapon that had been seized if the applicant had used it in the commission of a crime.

¶9 Also pertinent, WIS. STAT. § 968.20(1m)(d)1. provides in part:

If the seized property is a firearm . . . and a person claiming the right to possession of the firearm has applied for its return under sub. (1), the court shall order a hearing under sub. (1) to occur within 20 business days after the person applies for the return. *If, at the hearing, all conditions under sub. (1) have been met* and the person is not prohibited from possessing a firearm under state or federal law . . . the court shall . . . order the property returned if one of the following has occurred:

...
b. All charges filed in connection with the seizure against the person have been dismissed.

(emphasis added). Subdivision (1m)(d)1. incorporates the conditions outlined in subsection (1) and adds an additional requirement when the seized property is a firearm. As noted above, all charges against Plaintiff-Appellant were dismissed, meaning WIS. STAT. § 968.20(1m)(d)1.b. is satisfied.

¶10 In sum, the person seeking the return of a seized firearm must meet seven basic elements for its return pursuant to WIS. STAT. § 968.20: (1) the firearm was seized; (2) the applicant is claiming the right to possession of that firearm; (3) the application is filed within 120 days of the initial appearance; (4) the application was filed in the proper court; (5) the applicant did not use the firearm in the commission of a crime; (6) the applicant is not prohibited from possessing a firearm under state or federal law; and (7) one condition found under WIS. STAT. § 968.20(1m)(d)1.a–1.e is met. Only elements (3) and (5) are issues on appeal.

I. Effect Of Missing 120-Day Deadline

¶11 Whether the court was deprived of its competency to address the matter turns on whether the 120-day statutory time limit in WIS. STAT. § 968.20(1) is mandatory or directory. In turn, whether a statutory time limit is mandatory or directory presents an issue of statutory interpretation reviewed de novo. *State v. Schertz*, 2002 WI App 289, ¶6, 258 Wis. 2d 351, 655 N.W.2d 175. If the time limit is mandatory, Plaintiff-Appellant’s failure to abide by the deadline has deprived the circuit court of competency to address the issue. *State v. L. Olson*, 2019 WI App 61, ¶11, 389 Wis. 2d 257, 936 N.W.2d 178. However, if the time limit is directory, the circuit court may still be able to address the issue despite the late filing. *Id.*

¶12 The statute is presumed mandatory when the word “shall” appears; however, “shall” may still be construed as merely directory “if necessary to carry out the legislature’s clear intent.” *Karow v. Milwaukee Cnty. Civ. Serv. Comm’n*, 82 Wis. 2d 565, 570–71, 263 N.W.2d 214 (1978). The factors to determine whether a statutory time limit is mandatory or directory are: (1) the statute’s purpose; (2) the statute’s history; (3) the consequences of interpreting the

statutory time limit as either mandatory or directory; and (4) whether a penalty or prohibition is imposed for the violation of the time limit. *See State v. R.R.E.*, 162 Wis. 2d 698, 708, 470 N.W.2d 283 (1991); *L. Olson*, 389 Wis. 2d 257, ¶13.

¶13 Both parties argue that the four factors favor determining that the 120-day time limit in WIS. STAT. § 968.20(1) is directory. Applying these factors, we agree that, on balancing the four factors, the time limit in § 968.20(1) is directory.

A. Purpose

¶14 We conclude that the purpose of WIS. STAT. § 968.20(1) does not provide strong support for ruling the time limit mandatory or directory. [*Contra* Blue:13–15; Red:12, 17–18.] Our supreme court has explained that the legislature established § 968.20 to create “a simplified procedure for obtaining the return of property seized with or without a warrant that is neither contraband nor needed as evidence in a case.” *Jones*, 226 Wis. 2d at 577 (citing Judicial Council Committee Note, 1971, WIS. STAT. ANN. § 968.20 (1998)); *State v. Glass*, 2001 WI 61, ¶18, 243 Wis. 2d 636, 628 N.W.2d 343 (“The explicit purpose of § 968.20(1) is to hear all claims to the true ownership of property seized under certain conditions.”). While the original purpose of § 968.20(1) has already been identified in case law, the interpretation came before the legislature amended the statute to include the 120-day time limit. *See* 2017 Wis. Act 211, § 30. We conclude that, while the original purpose of providing applicants an opportunity to seek the return of property remains, the addition of the 120-day time limit has created a second purpose within the statute. *See Warnecke v. Estate of Warnecke*, 2006 WI App 62, ¶21, 292 Wis. 2d 438, 713 N.W.2d 109 (a statute may have multiple purposes). When an applicant files a tardy application, the two purposes conflict, and because of that conflict, we conclude that the “purpose” factor weighs neutral.

¶15 The first purpose of providing a means for applicants to potentially recover seized property favors a directory time limit in WIS. STAT. § 968.20(1). The statute’s purpose of ensuring applicants are afforded the possibility of recovering the seized property does not seem to hinge

on a time limit. As such, mandating strict adherence to the time limit could undermine the possibility of an applicant potentially recovering their property.

¶16 However, the second goal of promoting efficiency favors a mandatory time limit. A mandatory time limit would provide the strongest incentives for an applicant to timely file their application because, if they do not timely file, they would lose their opportunity to recover their property. Because the legislature has not signaled its view of the relative priorities of the possible return of seized property and the promptness of the application process, we give no weight to either side on this factor.

B. Legislative History

¶17 [This section similarly concludes that the legislative history does not support a determination that WIS. STAT. § 968.20(1) is either mandatory or directory.]

C. Consequences of Ruling in the Alternative

¶18 We conclude that the consequences of treating the 120-day time limit as mandatory favors the conclusion that it is directory. [Blue:13–16; Red:19.] If the party’s “failure to act within the statutory time limit does work [as] an injury or wrong,” the lack of injury favors construing the time limit as mandatory. *Karow*, 82 Wis. 2d at 572. However, “a time limit may be construed as directory when allowing something to be done after the time prescribed would not result in an injury.” *Id.* Further, when the pertinent statute provides an exclusive remedy to the issue arising in the case, this factor weighs in favor of concluding the time limit is directory. See *Matlin v. City of Sheboygan*, 2001 WI App 179, ¶7–13, 247 Wis. 2d 270, 634 N.W.2d 115.

¶19 Here, WIS. STAT. § 968.20 is the exclusive means for recovering property when the State has not initiated a forfeiture proceeding. See *State v. Jones*, 226 Wis. 2d at 569. Because § 968.20 is the exclusive means for recovering seized property when the State has not initiated a forfeiture action, the consequence of ruling the time limit mandatory could be the potential deprivation of the applicant’s opportunity for potential recovery.

¶20 This is all the more significant because WIS. STAT. § 968.20(1) is not limited to the return of property belonging to criminal defendants; the section applies to property belonging

to “[a]ny person claiming the right to possession of property. . . .” (emphasis added.) On the undisputed facts, Plaintiff-Appellant was aware that his gun was seized. However, in other cases, property owners other than a criminal defendant might not be aware of the status of their property after its seizure. A person may have had their property stolen but lack the knowledge that the item had subsequently fallen into police custody. *See* § 968.20(3)–(4) (creating variation in the procedures by which custodians must attempt to notify the rightful owners of seized property based on the classification of the municipality). Ruling the 120-day time limit mandatory would then place especially harsh consequences on those owners who discover that their property was seized only after the 120-day time limit and weigh towards a directory time limit.

¶21 Relatedly, even if an applicant has notice after the property’s seizure, treating the 120-day time limit as mandatory would disproportionately harm tardy applicants compared to the benefits of a mandatory 120-day time limit. Other excusable reasons why the applicant did not file his or her application within the 120-day time limit could exist, and depriving the party of an opportunity to recover seized property would be a serious consequence for their failure to timely file their application. The possible injury to tardy applicants when they fail to timely file their applications weigh in favor of a directory time limit.

D. Penalties in Statute

¶22 The parties agree that WIS. STAT. § 968.20(1) does not include a penalty for noncompliance with the 120-day time limit. [Blue:13; Red:20.] The legislature’s omission of a penalty for exceeding the statutory time limit makes this factor weigh in favor of ruling the time limit directory. *See L. Olson*, 389 Wis. 2d 257, ¶29. The clarity of this factor as compared to the other factors is particularly compelling for determining that the statutory time limit is directory.

E. Consequences for Failure to Meet the Directory Deadline

¶23 For the reasons outlined above, the factors weigh in favor of making the 120-day statutory time limit in WIS. STAT. § 968.20(1) directory. However, a determination that a time limit is directory “should not be read to imply that the provision is merely discretionary or permissive” on the part of the applicant. *R.R.E.*, 162 Wis. 2d at 715. We have concluded that the

legislature did not intend to restrain the court's competency to adjudicate any § 968.20(1) matter because the time limit was exceeded. *See id.* But this does not mean that the 120-day time limit can be disregarded; Plaintiff-Appellant is not automatically excused from complying with the time limit.

¶24 The parties argue for different standards for the court to consider on remand in determining whether to excuse the tardy application. The State argues that Plaintiff-Appellant must prove “excusable neglect” under WIS. STAT. § 801.15(2)(a). [Red:20–21.] In the context of civil actions, § 801.15(2)(a) permits the court to enlarge the statutory window of time for compliance of a missed deadline if the party moving for enlargement can prove “excusable neglect” and a statute of specific application does not control over the general application of § 801.15(2)(a). *See Ahrens-Cadillac Oldsmobile, Inc. v. Belongia*, 151 Wis. 2d 763, 766, 445 N.W.2d 744 (Ct. App. 1989). Our supreme court has suggested that directory time limits can be enlarged in cases of excusable neglect under WIS. STAT. § 801.15(2)(a). *Vill. of Elm Grove v. Brefka*, 2013 WI 54, ¶22 n.8, 348 Wis. 2d 282, 832 N.W.2d 121 (“Construing the word ‘shall’ as merely directory arguably allows the circuit court discretion to extend the ten-day time limit [of WIS. STAT. § 343.305 (implied consent statute)] due to excusable neglect.”).

¶25 On the other hand, it is unclear exactly what Plaintiff-Appellant believes the consequence should be after we determine that WIS. STAT. § 968.20(1) is directory other than that he argues it should not be based on excusable neglect. [Reply:6.]

¶26 In one instance, Plaintiff-Appellant argues that precedent relating to mandatory or directory time limit considerations of payment of restitution in criminal cases requires he show a “valid reason” for the delayed application. *See State v. Perry*, 181 Wis. 2d 43, 57, 510 N.W.2d 722 (Ct. App. 1993); *State v. Johnson*, 2002 WI App 166, ¶¶8–10, 256 Wis. 2d 871, 649 N.W.2d 284; *State v. Ziegler*, 2005 WI App 69, ¶¶14–16, 280 Wis. 2d 860, 695 N.W.2d 895. Under such precedent, Plaintiff-Appellant would be required to show that he had a “valid reason” for not filing an application for the return of his seized shotgun within the 120-day statutory time limit. *Johnson*, 256 Wis. 2d 871, ¶¶8–10; *Ziegler*, 280 Wis. 2d 860, ¶¶14–16. That “valid reason”

would then be weighed against the injuries or wrongs that opposing parties would incur from the failure to adhere to the time limit. [Reply:7.] *Ziegler*, 280 Wis. 2d 860, ¶18.

¶27 In another instance, Plaintiff-Appellant argues that there should be no consequences for his failure to abide by a directory time limit, that is, that the circuit court should have automatically excused his lateness. See *Matlin*, 247 Wis. 2d 270, ¶¶13, 15; *Warnecke*, 292 Wis. 2d 438, ¶¶8, 13. [Reply:7–8.] He notes that, in *Matlin*, this court resolved that the statutory time limit in WIS. STAT. § 66.0413(1)(h) (1999–2000) was directory without requiring the tardy applicant prove anything for the court to rule on the issue. *Matlin*, 247 Wis. 2d 270, ¶15. Likewise, Plaintiff-Appellant observes that, in *Warnecke*, the court concluded the time limit in § 77.88(2)(e) (2003–2004) (applied to § 77.88(2)(f)) was directory. And like *Matlin*, this court did not impose any consequences on the party’s failure to abide by a directory time limit. *Warnecke*, 292 Wis. 2d 438, ¶13.

¶28 Beginning with the latter argument, we reject Plaintiff-Appellant’s contention that there should be no consequences for his failure to abide by the time limit in WIS. STAT. § 968.20. We first note that, in both *Matlin* and *Warnecke*, the court does not expressly grapple with alternative consequences for the parties’ failure to follow the relevant statutory time limits. Additionally, these cases both predate our supreme court’s statement in *Brefka* that suggests directory time limits in civil cases are bound to the excusable neglect standard. Further, providing no consequences for a party’s failure to abide by a prescribed statutory time limit appears entirely at odds with precedent noted above that states that directory time limits are not “merely discretionary or permissive.” *R.R.E.*, 162 Wis. 2d at 715; *Perry*, 181 Wis. 2d at 56. The legislature included a time limit for a reason; even if the time limit is considered directory, there are consequences if a party failed to follow that prescribed time limit.³

³ Plaintiff-Appellant additionally argues that, because the circuit court addressed the merits of his motion in the alternative, remanding to show excusable neglect serves no practical purpose. [Reply:8.] The assertion contains two conclusory sentences and cites no legal principle to support the contention; we will not consider underdeveloped arguments. *M.C.I., Inc. v. Elbin*, 146 Wis. 2d 239, 244–45, 430 N.W.2d 366 (Ct. App. 1988).

¶29 Left with the issue of whether the “excusable neglect” or “valid reason” test should be followed, we begin by comparing the two standards. Excusable neglect is “that neglect which might have been the act of a reasonably prudent person under the same circumstances, but which is not synonymous with neglect, carelessness or inattentiveness.” *Casper v. Am. Int’l S. Ins. Co.*, 2011 WI 81, ¶37, 336 Wis. 2d 267, 800 N.W.2d 880; accord *Hedtcke v. Sentry Ins. Co.*, 109 Wis. 2d 461, 474–75, 326 N.W.2d 461. On the other hand, Plaintiff-Appellant does not define, nor do we find a definition for, what constitutes a “valid reason.” Plaintiff-Appellant seems to take the position that it is a less burdensome standard for parties to meet than showing excusable neglect under WIS. STAT. § 801.15(2). We assume without deciding that the valid reason test is more forgiving than the excusable neglect test.

¶30 The State’s argument is more persuasive. Applications under WIS. STAT. § 968.20 are civil *in rem* proceedings. *Jones*, 226 Wis. 2d at 595. Therefore, a motion for the return of property under § 968.20 “fall[s] under the civil procedures of Wis. Stat. ch. 801.” *Id.* Because WIS. STAT. § 801.15(2)(a) permits the enlargement of a statutory time-window based on excusable neglect, and *Jones* sets chapter 801 as controlling in § 968.20 motions, it follows that § 968.20 allows the court to enlarge a time limit for excusable neglect. Our supreme court’s suggestion in *Brefka* that WIS. STAT. § 801.15(2)(a) can apply to directory time limits further confirms our determination that Plaintiff-Appellant must prove excusable neglect for the circuit court to enlarge the time limit.

¶31 In advancing the “valid reason” test, Plaintiff-Appellant does not explain why the straightforward and seemingly applicable analysis of WIS. STAT. § 801.15(2)(a) put forward by the State does not control here. While Plaintiff-Appellant is correct that some precedent resolving statutory time limits to be directory had not applied the “excusable neglect” analysis, we also note that none of those cases expressly rejected, or even considered applying, the excusable neglect analysis.

Applicant Details

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Applicant Education

BA/BS From	University of Florida
Date of BA/BS	May 2021
JD/LLB From	Harvard Law School
	https://hls.harvard.edu/dept/ocs/
Date of JD/LLB	May 23, 2024
Class Rank	School does not rank
Law Review/Journal	Yes
Journal(s)	Harvard Journal of Law & Technology
Moot Court Experience	No

Bar Admission

Prior Judicial Experience

Judicial Internships/ Externships	No
Post-graduate Judicial Law Clerk	No

Specialized Work Experience

Recommenders

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This applicant has certified that all data entered in this profile and any application documents are true and correct.

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June 12, 2023

The Honorable David Jeremiah Barron
United States Court of Appeals for the First Circuit
John Joseph Moakley United States Courthouse
One Courthouse Way
Boston, MA 02210-3002

Dear Judge Barron:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

Professor Martha Minow	Professor I. Glenn Cohen	Mason Kortz
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617-495-4276	617-496-2518	617-495-2845

During my time at the Law School, I have been a member of the *Harvard Journal of Law & Technology* submissions committee where I have gained valuable experience evaluating legal scholarship and conducting legal research. Additionally, as a research assistant to Professor I. Glenn Cohen I have been responsible for editing work in a forthcoming book on reproductive rights.

Thank you for your time and consideration.

Sincerely,
Carli Sley

Carli Sley
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June 12, 2023

The Honorable John D. Bates
United States District Court for the District of Columbia
E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, N.W., Room 4114
Washington, DC 20001

Dear Judge Bates:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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Sincerely,
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Carli Sley
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June 12, 2023

The Honorable Marsha S. Berzon
United States Court of Appeals for the Ninth Circuit
James R. Browning United States Courthouse
95 Seventh Street, Room 243
San Francisco, CA 94103-1518

Dear Judge Berzon:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Andre Birotte, Jr.
United States District Court for the Central District of California
U.S. Courthouse
350 West 1st Street STE 4311, Room 7350
Los Angeles, CA 90012-4565

Dear Judge Birotte:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable James Emanuel Boasberg
United States District Court for the District of Columbia
E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, N.W., Room 6321
Washington, DC 20001

Dear Judge Boasberg:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Margo K. Brodie
United States District Court for the Eastern District of New York
Emanuel Celler Federal Building
225 Cadman Plaza East, Room N626
Brooklyn, NY 11201-1818

Dear Judge Brodie:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Valerie E. Caproni
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Centre Street, Room 240
New York, NY 10007-1501

Dear Judge Caproni:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Andrew L. Carter
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Dear Judge Carter:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, and writing samples. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Michael A. Chagares
United States Court of Appeals for the Third Circuit
Martin Luther King, Jr. Federal Building and
United States Courthouse 50 Walnut Street, Room 357
Newark, NJ 07102

Dear Judge Chagares:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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Sincerely,
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June 12, 2023

The Honorable Morgan Christen
United States Court of Appeals for the Ninth Circuit
Old Federal Building
605 West Fourth Avenue, Suite 252
Anchorage, AK 99501-2248

Dear Judge Christen:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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Sincerely,
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June 12, 2023

The Honorable Cindy K. Chung
United States Court of Appeals for the Third Circuit
Joseph F. Weis Jr. U.S. Courthouse
700 Grant Street, Room 5380
Pittsburgh, PA 15219-1906

Dear Judge Chung:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Jia M. Cobb
United States District Court for the District of Columbia
E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, N.W., Room 4311
Washington, DC 20001

Dear Judge Cobb:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Rudolph Contreras
United States District Court for the District of Columbia
E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, N.W., Room 4903
Washington, DC 20001

Dear Judge Contreras:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Christopher Reid Cooper
United States District Court for the District of Columbia
E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, N.W.
Washington, DC 20001

Dear Judge Cooper:

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June 12, 2023

The Honorable Roopali H. Desai
United States Court of Appeals for the Ninth Circuit
Sandra Day O'Connor United States Courthouse
401 West Washington Street, Suite 512
Phoenix, AZ 85003

Dear Judge Desai:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing samples. You will be receiving separately letters of recommendation from the following people:

Professor Martha Minow	Professor I. Glenn Cohen	Mason Kortz
Harvard Law School	Harvard Law School	Harvard Law School
minow@law.harvard.edu	igcohen@law.harvard.edu	mkortz@law.harvard.edu
617-495-4276	617-496-2518	617-495-2845

During my time at the Law School, I have been a member of the *Harvard Journal of Law & Technology* submissions committee where I have gained valuable experience evaluating legal scholarship and conducting legal research. Additionally, as a research assistant to Professor I. Glenn Cohen I have been responsible for editing work in a forthcoming book on reproductive rights.

Thank you for your time and consideration.

Sincerely,
Carli Sley

Carli Sley
6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Dana M. Douglas
United States Court of Appeals for the Fifth Circuit
John Minor Wisdom United States Court of
Appeals Building 600 Camp Street, Room 346
New Orleans, LA 70130

Dear Judge Douglas:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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Thank you for your time and consideration.

Sincerely,
Carli Sley

Carli Sley
6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Paul A. Engelmayer
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Centre Street, Room 2201
New York, NY 10007-1501

Dear Judge Engelmayer:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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Carli Sley
6 Porter Rd., Cambridge, MA 02140
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(561) 801-1371

June 12, 2023

The Honorable Katherine Polk Failla
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Centre Street, Room 2103
New York, NY 10007-1501

Dear Judge Failla:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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Sincerely,
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6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Arianna J. Freeman
United States Court of Appeals for the Third Circuit
James A. Byrne United States Courthouse
601 Market Street, Room 18716
Philadelphia, PA 19106-1729

Dear Judge Freeman:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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 csley@jd24.law.harvard.edu
 (561) 801-1371

June 12, 2023

The Honorable Michelle T. Friedland
 United States Court of Appeals for the Ninth Circuit
 Robert F. Peckham Federal Building and United States Courthouse
 280 South First Street, Room 5154
 San Jose, CA 95113-3002

Dear Judge Friedland:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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minow@law.harvard.edu	igcohen@law.harvard.edu	mkortz@law.harvard.edu
617-495-4276	617-496-2518	617-495-284

Additionally, the following people have agreed to serve as references and welcome any inquiries:

Professor Christopher	Charlotte Wen	Berkman Klein Center
Bavitz	Irell & Manella	shinds@cyber.harvard.edu
Harvard Law School	cwen@irell.com	646-255-0431
cbavitz@law.harvard.edu	310- 203-7541	
617-496-5155	Sam Hinds	

During my time at the Law School, I have been a member of the *Harvard Journal of Law & Technology* submissions committee where I have gained valuable experience evaluating legal scholarship and conducting legal research. Additionally, as a research assistant to Professor I. Glenn Cohen I have been responsible for editing work in a forthcoming book on reproductive rights. Thank you for your time and consideration.

Sincerely,
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Carli Sley
6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Jesse M. Furman
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Centre Street, Room 2202
New York, NY 10007-1501

Dear Judge Furman:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Sherilyn Peace Garnett
United States District Court for the Central District of California
U.S. Courthouse
350 West 1st Street STE 4311, Room 5450
Los Angeles, CA 90012-4565

Dear Judge Garnett:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Darrin P. Gayles
United States District Court for the Southern District of Florida
Wilkie D. Ferguson, Jr. United States Courthouse
400 North Miami Avenue, Room 11-1
Miami, FL 33128

Dear Judge Gayles:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Ronald M. Gould
United States Court of Appeals for the Ninth Circuit
William Kenzo Nakamura United States Courthouse
1010 Fifth Avenue, Room 940
Seattle, WA 98104-1195

Dear Judge Gould:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Roger L. Gregory
United States Court of Appeals for the Fourth Circuit
Lewis F. Powell, Jr. United States
Courthouse Annex 1100 East Main Street
Richmond, VA 23219-3525

Dear Judge Gregory:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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(561) 801-1371

June 12, 2023

The Honorable Pamela Harris
United States Court of Appeals for the Fourth Circuit
7201 Wisconsin Ave., Suite 420
Bethesda, MD 20814

Dear Judge Harris:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Stephen A. Higginson
United States Court of Appeals for the Fifth Circuit
John Minor Wisdom United States Court of
Appeals Building 600 Camp Street, Room 300
New Orleans, LA 70130

Dear Judge Higginson:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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(561) 801-1371

June 12, 2023

The Honorable Beryl A. Howell
United States District Court for the District of Columbia
333 Constitution Avenue, NW
Room 6600
Washington, DC 20001

Dear Judge Howell:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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(561) 801-1371

June 12, 2023

The Honorable William J. Kayatta, Jr.
United States Court of Appeals for the First Circuit
Edward T. Gignoux Federal Courthouse
156 Federal Street, Suite 6740
Portland, ME 04101-4152

Dear Judge Kayatta:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Lucy H. Koh
United States Court of Appeals for the Ninth Circuit
James R. Browning United States Courthouse
95 Seventh Street, Suite 252
San Francisco, CA 94103-1518

Dear Judge Koh:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Cheryl Ann Krause
United States Court of Appeals for the Third Circuit
James A. Byrne United States Courthouse
601 Market Street, Room 19613
Philadelphia, PA 19106-1729

Dear Judge Krause:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing samples. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Raymond J. Lohier, Jr.
United States Court of Appeals for the Second Circuit
Thurgood Marshall United States Courthouse
40 Centre Street, Room 730
New York, NY 10007-1501

Dear Judge Lohier:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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Carli Sley
6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Nancy L. Maldonado
U.S. District Court for the U.S. District Court for the Northern District of Illinois
219 South Dearborn Street
Chicago, IL 60604

Dear Judge Maldonado:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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Sincerely,
Carli Sley

Carli Sley
6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Scott M. Matheson, Jr.
United States Court of Appeals for the Tenth Circuit
Wallace F. Bennett Federal Building
125 South State Street, Room 5402
Salt Lake City, UT 84138

Dear Judge Matheson:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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6 Porter Rd., Cambridge, MA 02140
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(561) 801-1371

June 12, 2023

The Honorable John J. McConnell, Jr.
United States District Court for the District of Rhode Island
Federal Building and United States Courthouse
One Exchange Terrace, Room 307
Providence, RI 02903-1270

Dear Judge McConnell:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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(561) 801-1371

June 12, 2023

The Honorable Sarah A. Merriam
United States Court of Appeals for the Second Circuit
Brien McMahon Federal Building and
United States Courthouse 915 Lafayette Boulevard
Bridgeport, CT 06604-4706

Dear Judge Merriam:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Jeffrey Alker Meyer
United States District Court for the District of Connecticut
Richard C. Lee United States Courthouse
141 Church Street, Room 206
New Haven, CT 6510

Dear Judge Meyer:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

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June 12, 2023

The Honorable Donald M. Middlebrooks
United States District Court for the Southern District of Florida
Paul G. Rogers Federal Building and
United States Courthouse 701 Clematis Street, Room 257
West Palm Beach, FL 33401

Dear Judge Middlebrooks:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

Professor Martha Minow
Harvard Law School
minow@law.harvard.edu
617-495-4276

Professor I. Glenn Cohen
Harvard Law School
igcohen@law.harvard.edu
617-496-2518

Mason Kortz
Harvard Law School
mkortz@law.harvard.edu
617-495-2845

During my time at the Law School, I have been a member of the *Harvard Journal of Law & Technology* submissions committee where I have gained valuable experience evaluating legal scholarship and conducting legal research. Additionally, as a research assistant to Professor I. Glenn Cohen I have been responsible for editing work in a forthcoming book on reproductive rights.

Thank you for your time and consideration.

Sincerely,
Carli Sley

Carli Sley

6 Porter Rd., Cambridge, MA 02140
 csley@jd24.law.harvard.edu
 (561) 801-1371

June 12, 2023

The Honorable Patricia Ann Millett
 United States Court of Appeals for the District of Columbia Circuit
 E. Barrett Prettyman United States Courthouse
 333 Constitution Avenue, N.W., Room 3108
 Washington, DC 20001

Dear Judge Millett:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

Professor Martha Minow	Professor I. Glenn Cohen	Mason Kortz
Harvard Law School	Harvard Law School	Harvard Law School
minow@law.harvard.edu	igcohen@law.harvard.edu	mkortz@law.harvard.edu
617-495-4276	617-496-2518	617-495-2845

Additionally, the following people have agreed to serve as references and welcome any inquiries:

Professor Christopher	Caley Petrucci	Sam Hinds
Bavitz	Harvard Law School	Berkman Klein Center
Harvard Law School	cpetrucci@law.harvard.edu	shinds@cyber.harvard.edu
cbavitz@law.harvard.edu	u	646-255-0431
617-496-5155	206-973-9625	

During my time at the Law School, I have been a member of the *Harvard Journal of Law & Technology* submissions committee where I have gained valuable experience evaluating legal scholarship and conducting legal research. Additionally, as a research assistant to Professor I.

Glenn Cohen I have been responsible for editing work in a forthcoming book on reproductive rights. Thank you for your time and consideration.

Sincerely,
Carli Sley

Carli Sley
6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Lara E. Montecalvo
United States Court of Appeals for the First Circuit
Federal Building and United States Courthouse
One Exchange Terrace, Room 523
Providence, RI 02903-1270

Dear Judge Montecalvo:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, and writing samples. You will be receiving separately letters of recommendation from the following people:

Professor Martha Minow	Professor I. Glenn Cohen	Mason Kortz
Harvard Law School	Harvard Law School	Harvard Law School
minow@law.harvard.edu	igcohen@law.harvard.edu	mkortz@law.harvard.edu
617-495-4276	617-496-2518	617-495-2845

During my time at the Law School, I have been a member of the *Harvard Journal of Law & Technology* submissions committee where I have gained valuable experience evaluating legal scholarship and conducting legal research. Additionally, as a research assistant to Professor I. Glenn Cohen I have been responsible for editing work in a forthcoming book on reproductive rights. I find your path to the judiciary incredibly inspiring, and I would be honored to contribute your chambers. I am also particularly interested in clerking at the appellate level because appellate practice is of great interest to me professionally.

Thank you for your time and consideration.

Sincerely,

Carli Sley

Carli Sley

6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Tamika R. Montgomery-Reeves
United States Court of Appeals for the Third Circuit
J. Caleb Boggs Federal Building
844 North King Street, Room 5323
Wilmington, DE 19801-3519

Dear Judge Montgomery-Reeves:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

Professor Martha Minow	Professor I. Glenn Cohen	Mason Kortz
Harvard Law School	Harvard Law School	Harvard Law School
minow@law.harvard.edu	igcohen@law.harvard.edu	mkortz@law.harvard.edu
617-495-4276	617-496-2518	617-495-2845

During my time at the Law School, I have been a member of the *Harvard Journal of Law & Technology* submissions committee where I have gained valuable experience evaluating legal scholarship and conducting legal research. Additionally, as a research assistant to Professor I. Glenn Cohen I have been responsible for editing work in a forthcoming book on reproductive rights.

Thank you for your time and consideration.

Sincerely,
Carli Sley

Carli Sley
6 Porter Rd., Cambridge, MA 02140
csley@jd24.law.harvard.edu
(561) 801-1371

June 12, 2023

The Honorable Randolph D. Moss
United States District Court for the District of Columbia
E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, N.W., Room 4317
Washington, DC 20001

Dear Judge Moss:

I am writing to apply for your next available clerkship position after I graduate in 2024. I am a rising third-year student at Harvard Law School. Enclosed please find my resume, law school transcript, undergraduate transcript, and writing sample. You will be receiving separately letters of recommendation from the following people:

Professor Martha Minow	Professor I. Glenn Cohen	Mason Kortz
Harvard Law School	Harvard Law School	Harvard Law School
minow@law.harvard.edu	igcohen@law.harvard.edu	mkortz@law.harvard.edu
617-495-4276	617-496-2518	617-495-2845

During my time at the Law School, I have been a member of the *Harvard Journal of Law & Technology* submissions committee where I have gained valuable experience evaluating legal scholarship and conducting legal research. Additionally, as a research assistant to Professor I. Glenn Cohen I have been responsible for editing work in a forthcoming book on reproductive rights.

Thank you for your time and consideration.

Sincerely,
Carli Sley